

FEDERAL REGISTER

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
OF THE UNITED STATES
1934

VOLUME 25 NUMBER 190

Washington, Thursday, September 29, 1960

Contents

THE PRESIDENT

Proclamations

Columbus Day, 1960.....	9283
Enlarging the Rocky Mountain National Park, Colorado.....	9284
General Pulaski's Memorial Day, 1960.....	9284
Immigration quotas.....	9283

EXECUTIVE AGENCIES

Agricultural Marketing Service

RULES AND REGULATIONS:	
Milk in New York-New Jersey marketing area; order suspending certain provisions.....	9285
Oranges, grapefruit, tangerines, and tangelos grown in Florida.....	9285

Agricultural Research Service

RULES AND REGULATIONS:	
Texas (splenetic) fever in cattle; areas in Florida regulated.....	9286

Agriculture Department

See also Agricultural Marketing Service; Agricultural Research Service; Commodity Credit Corporation.

NOTICES:	
Texas; designation of area for production emergency loans.....	9311

Civil Service Commission

RULES AND REGULATIONS:	
Retirement; correction.....	9285

Coast Guard

RULES AND REGULATIONS:	
Small passenger vessels not more than 65 feet in length; revision of rules (see Part II of this issue).	

Commodity Credit Corporation

RULES AND REGULATIONS:	
Emergency livestock feed program; authorized period, undue financial hardship.....	9285

Customs Bureau

RULES AND REGULATIONS:	
Customs warehouses and control of merchandise therein.....	9289

Education Office

RULES AND REGULATIONS:	
National Defense Graduate Fellowship Program.....	9289

Federal Aviation Agency

PROPOSED RULE MAKING:	
Coded jet routes:	
Establishment.....	9295
Modifications (3 documents).....	9295, 9296

Federal airway; modification (2 documents).....	9294
Federal airways, control areas and reporting points; revocation.....	9294

RULES AND REGULATIONS:	
Airworthiness directive; Lockheed 188 Series aircraft.....	9287
Pilot and instructor certificates; revision of requirements.....	9287

Federal Communications Commission

NOTICES:	
<i>Hearings, etc.:</i>	
Columbia River Broadcasters, Inc., et al.....	9301
Consolidated Broadcasting Industries, Inc., et al.....	9301
Cusimano Construction Corp.....	9301
Four States Broadcasting Co. et al.....	9301
Idaho Microwave, Inc., et al.....	9304
Karban, J. R.....	9304
KOMY, Inc., et al.....	9306
Western Broadcasting Co. et al.....	9307
PROPOSED RULE MAKING:	
Power radio service.....	9296

Federal Power Commission

NOTICES:	
<i>Hearings, etc.:</i>	
Atlantic Refining Co. et al.....	9308
Hope Natural Gas Co. and Columbian Carbon Co.....	9309
Northern Natural Gas Co. and Permian Basin Pipeline Co.....	9309
Panhandle Eastern Pipe Line Co.....	9309
Plains Electric Generation and Transmission Cooperative, Inc.....	9309

Federal Trade Commission

RULES AND REGULATIONS:	
Prohibited trade practices:	
Goldman, Bernard.....	9287
Spartan Electric Radiator Corp.....	9288
Witkower Press, Inc., et al.....	9288

Fish and Wildlife Service

RULES AND REGULATIONS:	
Hunting of big game; special regulations:	
Columbia National Wildlife Refuge, Washington.....	9292
Deer Flat National Wildlife Refuge, Idaho.....	9292
Desert Game Range, Nevada.....	9292
Medicine Lake National Wildlife Refuge, Montana.....	9293
Sport fishing in Reelfoot National Wildlife Refuge, Tennessee; special regulations.....	9293

General Services Administration

NOTICES:	
Cobaltiferous materials held in national stockpile; proposed disposition.....	9312

Health, Education, and Welfare Department

See Education Office.

(Continued on next page)

Housing and Home Finance Agency

NOTICES:
Designation of acting regional administrator, Region II..... 9312

Indian Affairs Bureau

NOTICES:
Authority delegations; Muckle-shoot Indian Tribe, Washington, and forest management... 9309

Interior Department

See Fish and Wildlife Service; Indian Affairs Bureau; Land Management Bureau; National Park Service.

Interstate Commerce Commission

NOTICES:
Fourth section applications for relief..... 9312

Land Management Bureau

NOTICES:
Arizona; proposed withdrawal and reservation of lands (2 documents)..... 9310

National Park Service

NOTICES:
Olympic National Park, Washington; acceptance by Assistant Secretary of Interior Department of exclusive jurisdiction over certain lands..... 9311

Panama Canal

RULES AND REGULATIONS:
Operation and navigation; ammonium nitrate..... 9289

Treasury Department

See also Coast Guard; Customs Bureau.

NOTICES:
Millfeed from Cuba; determination of no sales at less than fair value..... 9301

Codification Guide

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the section numbers as well as the part numbers affected.

3 CFR

PROCLAMATIONS:
3298 (amended by Proc. 3372)..... 9283
3372..... 9283
3373..... 9283
3374..... 9284
3375..... 9284

5 CFR

29..... 9285

6 CFR

475..... 9285

7 CFR

927..... 9285
933..... 9285

9 CFR

72..... 9286

14 CFR

20..... 9287
507..... 9287

PROPOSED RULES:

600 (3 documents)..... 9294
601..... 9294
602 (4 documents)..... 9295, 9296

16 CFR

13 (3 documents)..... 9287, 9288

19 CFR

19..... 9289

35 CFR

4..... 9289

45 CFR

145..... 9289

46 CFR

175—187 (see Part II of this issue).

47 CFR

PROPOSED RULES:
11..... 9296

50 CFR

32 (4 documents)..... 9292, 9293
33..... 9293

Now Available**UNITED STATES GOVERNMENT ORGANIZATION MANUAL**

1960—61 Edition

(Revised through June 1)

Published by the Office of the Federal Register, the National Archives and Records Service, General Services Administration

817 pages—\$1.50 a copy

Order from Superintendent of Documents, United States Government Printing Office, Washington 25, D.C.



Telephone

WOrih 3-3261

prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D.C.

The **FEDERAL REGISTER** will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D.C.

The regulatory material appearing herein is keyed to the **CODE OF FEDERAL REGULATIONS**, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The **CODE OF FEDERAL REGULATIONS** is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

There are no restrictions on the republication of material appearing in the **FEDERAL REGISTER**, or the **CODE OF FEDERAL REGULATIONS**.

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3372

IMMIGRATION QUOTAS

By the President of the United States
of America

A Proclamation

WHEREAS under the provisions of section 202(a) of the Immigration and Nationality Act, each independent country, self-governing dominion, mandated territory, and territory under the international trusteeship system of the United Nations, other than independent countries of North, Central, and South America, is entitled to be treated as a separate quota area when approved by the Secretary of State; and

WHEREAS under the provisions of section 201(b) of the Immigration and Nationality Act, the Secretary of State, the Secretary of Commerce, and the Attorney General, jointly, are required to determine the annual quota of any quota area established pursuant to the provisions of section 201(a) of the said Act, and to report to the President the quota of each quota area so determined; and

WHEREAS under the provisions of section 202(e) of the said Act, the Secretary of State, the Secretary of Commerce, and the Attorney General, jointly, are required to revise the quotas, whenever necessary, to provide for any political changes requiring a change in the list of quota areas; and

WHEREAS the Republic of Cameroun came into existence on January 1, 1960, with the termination of the United Nations Trusteeship; and

WHEREAS the Republic of Togo was established on April 27, 1960, upon the termination of the United Nations Trusteeship; and

WHEREAS the Malagasy Republic, a former Autonomous Republic of the French Community, became independent on June 26, 1960; and

WHEREAS the Republic of the Congo, the former Belgian Congo, was granted independence by Belgium on June 30, 1960; and

WHEREAS the Somali Republic came into existence on July 1, 1960, by the union of the former Italian Trust Territory of Somaliland and the former British Somaliland; and

WHEREAS the Central African Republic, the Republic of Chad, the Republic of Congo (former Middle Congo), the Republic of Dahomey, the Gabon Republic, the Republic of Ivory Coast, the Republic of Niger, and the Republic of Upper Volta, previously Autonomous Republics within the French Community,

were granted independence by France between August 1 and August 17, 1960; and

WHEREAS the Republic of Cyprus, the former British Crown Colony of Cyprus, was granted independence by the Government of the United Kingdom on August 16, 1960; and

WHEREAS the Secretary of State, the Secretary of Commerce, and the Attorney General have jointly determined and reported to me the immigration quotas hereinafter set forth:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, acting under and by virtue of the authority vested in me by the aforesaid Act of Congress, do hereby proclaim and make known that the annual quotas of the quota areas hereinafter designated have been determined in accordance with the law to be, and shall be, as follows:

Quota area	Quota
Cameroun	100
Central African Republic	100
Chad	100
Congo	100
Congo, Republic of the	100
Cyprus	100
Dahomey	100
Gabon	100
Ivory Coast	100
Malagasy Republic	100
Niger	100
Somali Republic	100
Togo	100
Upper Volta	100

The establishment of an immigration quota for any quota area is solely for the purpose of compliance with the pertinent provisions of the Immigration and Nationality Act and is not to be considered as having any significance extraneous to such purpose.

Proclamation No. 3298 of June 3, 1959, entitled "Immigration Quotas," is amended by the abolishment of the immigration quotas established for Cameroun (trust territory, France), Somaliland (trust territory, Italy), Togo (trust territory, France), and by the addition of the immigration quotas established by this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-third day of September in the year of our Lord nineteen hundred and sixty and of the Independence of the United States of America the one hundred and eighty-fifth.

DWIGHT D. EISENHOWER

By the President:

DOUGLAS DILLON,
Acting Secretary of State.

[F.R. Doc. 60-9122; Filed, Sept. 28, 1960;
10:01 a.m.]

Proclamation 3373

COLUMBUS DAY, 1960

By the President of the United States
of America

A Proclamation

WHEREAS four hundred and sixty-eight years ago Christopher Columbus, with vision, faith, and the courage of his convictions, sailed out from the port of Palos, Spain, to cross the uncharted Atlantic; and

WHEREAS on October 12, 1492, Columbus discovered the land of the New World; and

WHEREAS Columbus' achievement opened the Western Hemisphere to settlement and development by our forebearers, whose vision, faith, and courage were akin to his own; and

WHEREAS in this present day of challenge we can find inspiration, both personally and nationally, in the example of this great figure in American history; and

WHEREAS the Congress of the United States, proud of this history, by a joint resolution approved April 30, 1934 (48 Stat. 657), has requested the President to issue a proclamation designating October 12 of each year as Columbus Day:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby designate Wednesday, October 12, 1960, as Columbus Day.

I direct the appropriate officers of the Federal Government to display the flag of the United States on all Government buildings on that day; and I request the appropriate officers of State and local governments likewise to display the flag on that day.

I also invite the people of the United States to observe the day in their homes, schools, churches, and other suitable places with ceremonies and with thoughts expressive of our admiration for the man who discovered America and of our gratitude for his daring achievement.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-third day of September in the year of our Lord nineteen hundred and sixty, and of the Independence of the United States of America the one hundred and eighty-fifth.

DWIGHT D. EISENHOWER

By the President:

DOUGLAS DILLON,
Acting Secretary of State.

[F.R. Doc. 60-9120; Filed, Sept. 28, 1960;
10:01 a.m.]

Proclamation 3374

ENLARGING THE ROCKY MOUNTAIN
NATIONAL PARK—COLORADOBy the President of the United States
of America

A Proclamation

WHEREAS the act of June 21, 1930, 46 Stat. 791 (16 U.S.C. 192b), authorizes the President, upon the recommendation of the Secretary of the Interior, with respect to lands not in a national forest, to add to the Rocky Mountain National Park, in the State of Colorado, by Executive proclamation, certain lands described in that act; and

WHEREAS the Secretary of the Interior has recommended the addition to such park of certain of the lands described in that act not in a national forest; and

WHEREAS it appears that it would be in the public interest to add such lands to the park for future preservation and administration as a part of the park:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, under and by virtue of the authority vested in me by the said act of June 21, 1930, do proclaim that the lands hereinafter described shall be, and they are hereby, added to and reserved as a part of the Rocky Mountain National Park, in the State of Colorado; and such lands shall be subject to the provisions of the act entitled "An Act to establish a National Park Service, and for other purposes," approved August 25, 1916, 39 Stat. 535 (16 U.S.C. 1-3), and all acts supplementary thereto and amendatory thereof, and all other laws and rules and regulations applicable to such park:

SIXTH PRINCIPAL MERIDIAN

T. 4 N., R. 73 W., section 9, northwest quarter southwest quarter.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-third day of September in the year of our Lord nineteen hundred and sixty, and of the Independence of the United States of America the one hundred and eighty-fifth.

DWIGHT D. EISENHOWER

By the President:

DOUGLAS DILLON,
Acting Secretary of State.

[F.R. Doc. 60-9123; Filed, Sept. 28, 1960;
10:01 a.m.]

Proclamation 3375

GENERAL PULASKI'S MEMORIAL
DAY, 1960By the President of the United States
of America

A Proclamation

WHEREAS during our war for independence a young Polish patriot in exile, Count Casimir Pulaski, joined the Continental Army, was appointed a brigadier general and commander of cavalry, distinguished himself in various engagements, and raised and commanded a corps called the Pulaski Legion; and

WHEREAS while leading an assault to relieve the captured city of Savannah, Georgia, Pulaski received a wound which proved fatal on October 11, 1779; and

WHEREAS the present year marks the one hundred and eighty-first anniversary of Pulaski's death; and

WHEREAS in his selfless devotion to the cause of liberty, Pulaski is a continuing example to all men who strive toward the goals of freedom and justice:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby designate Tuesday, October 11, 1960, as General Pulaski's Memorial Day.

I direct the appropriate officers of the Federal Government to display the flag of the United States on all Government buildings on that day; and I request the appropriate officers of the State and local governments likewise to display the flag on that day.

I also invite the people of the United States to observe the day in their homes, schools, churches, and other suitable places with ceremonies and with thoughts commemorative of the ideals and the heroism of General Pulaski.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-third day of September in the year of our Lord nineteen hundred and sixty, and of the Independence of the United States of America the one hundred and eighty-fifth.

DWIGHT D. EISENHOWER

By the President:

DOUGLAS DILLON,
Acting Secretary of State.

[F.R. Doc. 60-9121; Filed, Sept. 28, 1960;
10:01 a.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 29—RETIREMENT

Miscellaneous Amendments

Correction

In F.R. Doc. 60-8721, appearing at page 8988 of the issue for Tuesday, September 20, 1960, the following corrections are made in § 29.18:

1. In paragraph (c) (2) (iii), the word "determine" should read "terminate", so that the opening phrase of subdivision (iii) reads "if commission action to terminate his annuity * * *".

2. In the first full sentence in paragraph (d) (3) (iii), the word "his" should precede the phrase "retirement rights", so that the clause reads "to have his retirement rights redetermined under the law in effect at separation date."

Title 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Cor- poration, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[Amdt. 2]

PART 475—EMERGENCY FEED PROGRAM

Subpart—Livestock Feed Program

AUTHORIZED PERIOD; UNDUE FINANCIAL HARDSHIP

The regulations issued by the Commodity Credit Corporation published in 24 F.R. 10029 and 25 F.R. 8594 which contain specific requirements for the continuing Livestock Feed Program are amended as follows:

Section 475.203 *Definitions* is amended as follows:

(g) "Authorized period" means the period during which feed grains will be made available to the owner under a single application. In the case of applications filed in an approval month, the authorized period shall commence on the date the application is filed, and in the case of applications filed during the last week of a non-approval month which is immediately succeeded by an approval month, the authorized period shall begin on the first Monday of such approval month. In the case of applications for additional assistance beyond the expiration date of any authorized period shown on a previously approved Form 65, the authorized period shall begin as provided in the previous sentence except that if the application is filed during the last week of the authorized period shown on

the previously approved Form 65 and such week is succeeded by a day that is in an approval month, the authorized period shall begin on the first day following the preceding authorized period. The authorized period shall terminate:

(1) On the last day of the prescribed period or 60 calendar days after the beginning date of the authorized period, whichever is earlier, or, (2) on such later day within the prescribed period as the Executive Vice President of CCC determines necessary to assure effective program administration within the general policy of the program.

(n) "Undue financial hardship" means that an applicant does not have on hand sufficient feed for his livestock for the authorized period and is unable to obtain such feed from normal suppliers without sustaining an operating loss, and that the applicant's financial condition is such that this loss will interfere with his obtaining necessary financing for his livestock operation in the future or will otherwise imperil his continued livestock operation.

Issued this 26th day of September 1960.

WALTER C. BERGER,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 60-9079; Filed, Sept. 28, 1960;
8:51 a.m.]

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Milk Order No. 27]

PART 927—MILK IN NEW YORK- NEW JERSEY MARKETING AREA

Order Suspending Certain Provisions

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the New York-New Jersey marketing area (7 CFR Part 927), it is hereby found and determined that:

(a) The following provisions of the order, do not tend to effectuate the declared policy of the Act for the months of October, November and December:

(1) Section 927.40(a) (3), (4), (5), (6), (7), (8), (9) and (10);

(2) In § 927.40(a) (11) the words "determined pursuant to subparagraph (10) of this paragraph"; and

(3) § 927.46(a) (2).

(b) Notice of proposed rule making, public procedure thereon, and 30 days notice of effective date hereof are impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or

extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) This suspension is necessary because unusual weather conditions which prevailed in the Order No. 27 production and marketing area in recent months have had an undue influence upon the utilization adjustment percentage in the Class I-A price formula.

(4) This action has been requested by cooperative associations representing more than two-thirds of producers for the market.

(5) The short period of time remaining between issuance and effective date makes it impractical for rule-making procedure to be completed. This results because the market administrator is required to announce, on or before September 25, the utilization adjustment percentage applicable to all milk received in October.

Therefore, good cause exists for making this order effective October 1, 1960.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended effective October 1, 1960 (except that the suspension of § 927.46(a) (2) is effective immediately) for the period October, November and December 1960. This suspension action will not affect the use of this factor in any other order.

(Secs. 1-9, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Issued at Washington, D.C., this 23d day of September, 1960.

CLARENCE L. MILLER,
Assistant Secretary.

[F.R. Doc. 60-9058; Filed, Sept. 28, 1960;
8:47 a.m.]

[Export Reg. 4]

PART 933—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Export Shipments

§ 933.1020 Export Regulation 4.

(a) *Findings.* 1. Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments by export of oranges, including Temple oranges, grapefruit, tangerines, and tangelos, as hereinafter

provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the *FEDERAL REGISTER* (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, except Temple oranges, and all grapefruit, grown in the production area, are subject to grade and size limitations on shipments from the production area to any point outside thereof in the continental United States, Canada, and Mexico; Temple oranges, tangerines, and tangelos, grown in the production area, are approaching maturity and are expected soon to be subject to grade and size limitations on such shipments from the production area. The recommendation and supporting information for the grade and size limitation hereinafter prescribed for exports of the respective variety, other than to Canada and Mexico, were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on September 20, 1960; such meeting was held to consider recommendations for regulations on exports, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this regulation, including the effective time hereof, are identical with the aforesaid recommendation of the committee and information concerning such provisions and effective time have been disseminated among handlers of such oranges, including Temple oranges, grapefruit, tangerines, and tangelos; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period hereinafter set forth, and compliance with this regulation will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order*. 1. Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, and standard pack, as used herein, shall have the same meaning as is given to the respective term in the amended United States Standards for Florida Oranges and Tangelos (7 CFR 51.1140-51.1178; 25 F.R. 8211); the revised United States Standards for Florida Grapefruit (7 CFR 51.750-51.783; 25 F.R. 8219; or the United States Standards for Florida Tangerines (7 CFR 51.1810-51.1834; 25 F.R. 8216).

2. During the period beginning at 12:01 a.m., e.s.t., October 1, 1960, and

ending at 12:01 a.m., e.s.t., July 31, 1961, no handler shall ship to any destination outside the continental United States, other than to Canada and Mexico:

(i) Any oranges, including Temple oranges, grapefruit, tangerines, or tangelos, grown in the production area, which do not grade at least U.S. No. 2 Russet;

(ii) Any oranges, except Temple oranges, grown in the production area, which are of a size smaller than $2\frac{3}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of oranges, except Temple oranges, smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the amended United States Standards for Florida Oranges and Tangelos (7 CFR 51.1140-51.1178; 25 F.R. 8211);

(iii) Any grapefruit, grown in the production area, which are of a size smaller than $3\frac{3}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of grapefruit smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the revised United States Standards for Florida Grapefruit (7 CFR 51.750-51.783; 25 F.R. 8219);

(iv) Any tangerines, grown in the production area, which are of a size smaller than a size that will pack 294 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions $9\frac{1}{2}$ x $9\frac{1}{2}$ x $19\frac{1}{8}$ inches; capacity 1,726 cubic inches); or

(v) Any tangelos, grown in the production area, which are of a size smaller than 2 inches in diameter, except that a tolerance of 10 percent, by count, of tangelos smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in said amended United States Standards for Florida Oranges and Tangelos (7 CFR 51.1140-51.1178; 25 F.R. 8211).

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: September 26, 1960.

FLOYD F. HEDLUND,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60-9078; Filed, Sept. 28, 1960; 8:50 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 72—TEXAS (SPLENETIC) FEVER IN CATTLE

Areas in Florida Regulated

Pursuant to the provisions of the Act of March 3, 1905, as amended, sections 1

and 2 of the Act of February 2, 1903, as amended, and sections 4 through 7 of the Act of May 29, 1884, as amended (21 U.S.C. 111-113, 115, 117, 120, 121, 123, 125), § 72.5a(a) of Part 72, Title 9, Code of Federal Regulations, is hereby amended to read:

§ 72.5a Area regulated in Florida.

(a) The following portions of the State of Florida are regulated: Palm Beach County and the following described areas in Hillsborough County, Indian River County, Martin County, and Osceola County:

(1) Hillsborough County: Beginning at the intersection of U.S. Highway No. 301 and Buffalo Avenue, running 2.7 miles west to the intersection of Buffalo Avenue and 50th Street; thence, 1 mile south to the intersection of 50th Street and Columbus Drive; thence, 1.3 miles east to the intersection of Columbus Drive and State Road No. 574, continuing 1.1 miles east to the intersection of State Road No. 574 and State Road No. 43; thence, 7 mile southeast to the intersection of State Road No. 43 and U.S. Highway No. 301; thence, 1.6 miles north to the intersection of U.S. Highway No. 301 and Buffalo Avenue, the point of beginning.

(2) Indian River County: Secs. 1 through 26 and secs. 35 and 36, Township 32, South Range 35 east, lying north of State Road No. 60; and all of Township 31, South Range 35 east.

(3) Martin County: Beginning at a point where the Atlantic Ocean coastline intersects the Martin-Palm Beach County line; thence, westerly along said County line to a point where it intersects the Seaboard Airline Railroad; thence, northwesterly along the railroad to the St. Lucie Canal; thence, northeasterly along the St. Lucie Canal through the Okeechobee Waterway and St. Lucie River to the Atlantic Ocean; thence, southward along the coastline to the point of beginning.

(4) Osceola County: Secs. 13, 14, 15, 16, 22, 23, 24, 25, 26, 34, 35, and 36, Township 31, South Range 34 east, lying east of State Road No. 15; secs. 1, 2, 3, 10, 11, 12, Township 32, South Range 34 east, lying east of State Road No. 15; secs. 13, and 14, Township 32, South Range 34 east, lying north of State Road No. 60; secs. 16 through 22 and secs. 26 through 34, Township 31, South Range 34 east, lying west of State Road No. 15; secs. 3, 4, 5, 6, 9, 10, Township 32, South Range 34 east, lying west of State Road No. 15 and north of State Road No. 16; secs. 1, 2, 3, Township 32, South Range 33 east, lying north of State Road No. 60; secs. 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36, Township 31, South Range 33 east, lying east of grade road commonly known as Pea Vine Road.

(Secs. 1, 3, 33 Stat. 1264, as amended, 1265, as amended, secs. 1, 2, 32 Stat. 791, as amended, 792, as amended, secs. 4-7, 23 Stat. 32, as amended; 21 U.S.C. 111-113, 115, 117, 120, 121, 123, 125)

Effective date. The foregoing amendment shall become effective upon issuance.

The amendment excludes certain areas in Florida from the areas hereto-

fore regulated because of splenetic (tick) fever. Hereafter, the restrictions pertaining to the interstate movement of livestock and pine straw and other litter from quarantined areas contained in 9 CFR, Part 71 and Part 72, will not apply to such areas. However, the restrictions pertaining to such movement from non-quarantined areas, contained in said Part 71 and Part 72, as amended, will apply thereto.

The amendment relieves certain restrictions presently imposed, and must be made effective immediately to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and the amendment may be made effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 23d day of September 1960.

B. T. SHAW,
Administrator,
Agricultural Research Service.

[F.R. Doc. 60-9059; Filed, Sept. 28, 1960;
8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Reg. Docket No. 517; Amdt. 20-14]

PART 20—PILOT AND INSTRUCTOR CERTIFICATES

Revision of Requirements for Flight Instructor Certificates

Part 20 of the Civil Air Regulations prescribes the requirements applicable to the issuance of flight instructor certificates. An applicant for original flight instructing privileges must first obtain a limited flight instructor certificate. After one year he is eligible for the flight instructor certificate, provided he has trained at least five successful candidates for pilot certificates or instrument ratings. These candidates must be flight tested by a Federal Aviation Agency Inspector, who is thus afforded the opportunity to evaluate the effectiveness of the instruction.

Many limited flight instructors qualify five successful candidates in a short period of time, but must wait the full year before applying for their flight instructor certificate. The Federal Aviation Agency considers that the experience gained by a limited flight instructor in qualifying at least five successful candidates plus the demonstration of competence evidenced by the ability of his students to maintain a satisfactory level of flight safety while under his supervision is sufficient to qualify him for a flight instructor certificate. Therefore, no useful purpose is served in requiring a one-year waiting period.

Since this one-year waiting period is not necessary in the interest of safety and deprives the industry of the services of qualified flight instructors, the FAA considers that it should be deleted from the requirements for the issuance of a flight instructor certificate. Accordingly, § 20.135(a) of the Civil Air Regulations is being amended to permit the issuance of a flight instructor certificate to the holders of limited flight instructor certificates at any time after they have qualified at least five successful candidates for pilot certificates or instrument ratings and have demonstrated their competence to serve as flight instructors.

Since this amendment relieves a present restriction and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and it may be made effective on less than 30 days' notice.

In consideration of the foregoing, Part 20 of the Civil Air Regulations (14 CFR Part 20) is hereby amended as follows, effective September 23, 1960.

By amending § 20.135(a) to read as follows:

§ 20.135 Flight instructor certificates.

(a) He holds a limited flight instructor certificate;

(Sec. 313(a), 601, 602; 72 Stat. 752, 775, 776; 49 U.S.C. 1354, 1421, 1422)

Issued in Washington, D.C., on September 23, 1960.

JAMES T. PYLE,
Acting Administrator.

SEPTEMBER 23, 1960.

[F.R. Doc. 60-9032; Filed, Sept. 28, 1960;
8:45 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Docket No. 519; Amdt. 205]

PART 507—AIRWORTHINESS DIRECTIVES

Lockheed 188 Series Aircraft

Further investigation of the service difficulty involving loose attachments and cracked quick engine change upper cowl panel longerons on Lockheed 188 Series aircraft shows that additional fasteners are acceptable for use in accomplishing repairs. Accordingly, Amendment 159, 25 F.R. 4542, is being amended to provide for these acceptable replacements.

Since this amendment imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment will become effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) (14 CFR Part 507), is amended as follows:

Amendment 159, Lockheed 188 Series aircraft as it appeared in 25 F.R. 4542, is amended by inserting in lieu of the last three sentences of the second paragraph the following:

(a) Replace loose attachments in the longeron fittings. Acceptable replacements are:

(1) One-sixty-fourths-inch diameter over-size Hi-Loks (P/N HL 56-6 pin, P/N HL 64-6-5 pin, P/N HL 85-6 collar).

(2) Thirteen-sixty-fourths-inch diameter NAS type close tolerance screw, minimum heat treat 160,000 p.s.i. Ream to oversize hole limits of 0.2026-0.2036-inch diameter.

(3) Seven-thirty-seconds-inch diameter NAS type close tolerance screws; minimum heat treat 160,000 p.s.i.; minimum edge distance, 1½ diameters. Ream to oversize hole limits of 0.2182-0.2192-inch diameter.

(4) It is satisfactory to mix Huck bolts and Hi-Lok fasteners, but it is not acceptable to mix NAS type screws with Huck bolts or Hi-Lok fasteners.

(b) Cracked longerons must be replaced or an FAA approved repair incorporated before next flight.

This amendment shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on September 23, 1960.

B. PUTNAM,
Acting Director,
Bureau of Flight Standards.

September 23, 1960.

[F.R. Doc. 60-9033; Filed, Sept. 28, 1960;
8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 7843 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

Bernard Goldman

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*: § 13.1108-45 *Fur Products Labeling Act*. Subpart—Misbranding or mislabeling: § 13.1212 *Formal regulatory and statutory requirements*: § 13.1212-30 *Fur Products Labeling Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition*: § 13.1845-30 *Fur Products Labeling Act*; § 13.1852 *Formal regulatory and statutory requirements*: § 13.1852-35 *Fur Products Labeling Act*. (Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Bernard Goldman, Cincinnati, Ohio, Docket 7843, July 16, 1960]

The complaint in this case charged a Cincinnati, Ohio, furrier with violating the Fur Products Labeling Act by failing to label fur products with the name of the animal producing the fur, and by failing in other respects to comply with labeling and invoicing requirements.

Accepting a consent agreement, the hearing examiner made his initial decision and order to cease and desist which became on July 16 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That Bernard Goldman, an individual trading as Bernard Goldman, or under any other name, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, or offering for sale in commerce, or the transportation or distribution in commerce of fur products, or in connection with the sale, advertising, offering for sale, transportation, or distribution of fur products which are made in whole or in part of fur which has been shipped and received in commerce, as "commerce," "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1. Misbranding fur products by:

A. Failing to affix labels to fur products showing in letters and figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act;

B. Falsely or deceptively labeling or otherwise identifying any such product as to the name or names of the animal or animals that produced the fur from which such product was manufactured;

C. Setting forth on labels affixed to fur products information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder mingled with non-required information;

D. Affixing to fur products labels that do not comply with the minimum size requirements of one and three-quarter inches by two and three-quarter inches;

E. Failing to set forth the information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in the required sequence;

F. Failing to set forth separately on labels attached to fur products composed of two or more sections containing different animal furs the information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder with respect to the fur comprising each section;

G. Failing to set forth on labels the item number or mark assigned to a fur product.

2. Falsely or deceptively invoicing fur products by:

Failing to furnish to purchasers of fur products an invoice showing all the information required to be disclosed by each of the subsections of section 5(b) (1) of the Fur Products Labeling Act.

By "Decision of the Commission," etc., report of compliance was required as follows:

It is ordered, That respondent Bernard Goldman, an individual trading as Bernard Goldman, shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the man-

ner and form in which he has complied with the order to cease and desist.

Issued: June 30, 1960.

By the Commission.

[SEAL]

ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 60-9064; Filed, Sept. 28, 1960;
8:49 a.m.]

[Docket 7839 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

Spartan Electric Radiator Corp.

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices: § 13.155-40 Exaggerated as regular and customary.* Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception.* Subpart — Misrepresenting oneself and goods—Prices: § 13.1805 *Exaggerated as regular and customary.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Spartan Electric Radiator Corporation, Maspeth, N.Y., Docket 7839, July 16, 1960]

The complaint in this case charged a New York City distributor of chrome-plated brass shower heads imported from Japan with furnishing to its retailer-customers advertising material—in payment of the cost of which it participated—setting out various fictitious amounts as "Value" or as "Usually", together with lesser sales prices, thereby falsely representing the "Value" and "Usually" prices as the usual retail selling prices, and the difference between the larger and smaller amounts as the purchaser's savings.

Accepting a consent agreement, the hearing examiner made his initial decision and order to cease and desist which became on July 16 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondent Spartan Electric Radiator Corporation, a corporation, and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of shower heads, or any other product, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Placing in the hands of retailers any means or instrumentality by and through which they may represent that any amount is the usual and customary retail price of respondent's product in a trade area, when such amount is in excess of the price at which said product is usually and customarily sold at retail in the trade area or areas where the representation is made;

2. Placing in the hands of retailers any means or instrumentality by and through which they may represent that

any amount is the retailer's usual and customary price of respondent's product when such amount is in excess of the price at which said product is usually and customarily sold by said retailers in the recent regular course of business;

3. Placing in the hands of retailers of its product any means or instrumentality by and through which they may misrepresent the savings available to their customers from the retailer's usual and customary price or from the price at which said product is usually and customarily sold in the trade area or areas in which the representation is made.

By "Decision of the Commission," etc., report of compliance was required as follows:

It is ordered, That respondent Spartan Electric Radiator Corporation, a corporation shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order to cease and desist.

Issued: July 14, 1960.

By the Commission.

[SEAL]

ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 60-9065; Filed, Sept. 28, 1960;
8:49 a.m.]

[Docket 6583 o.]

PART 13—PROHIBITED TRADE PRACTICES

Witkower Press, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.170 *Qualities or properties of product or service: § 13.170-52 Medicinal, therapeutic, healthful, etc.* Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Witkower Press, Inc., et al., Hartford, Conn., Docket 6583, July 19, 1960]

In the Matter of Witkower Press, Inc., a Corporation, and Dan Dale Alexander, and Bernard Witkower, Individually and as Officers of Said Corporation

The complaint in this case charged a Hartford, Conn., publisher with representing falsely in advertising the book "Arthritis and Common Sense"—in newspapers, and by radio and television, on the paper book jackets, and in promotional material and advertising mats furnished local dealers—that the dietary regimen contained therein was a reliable treatment and cure for all kinds of arthritis and rheumatism, correcting the underlying causes and relieving their discomforts.

Following extended hearings and voluminous testimony, the hearing examiner made his initial decision and order to

cease and desist. Denying respondents' appeal therefrom, the Commission on July 19 adopted the initial decision with slight modification as the decision of the Commission.

The order to cease and desist, as modified, is as follows:

It is ordered, That respondent Witkower Press, Inc., a corporation, and its officers, and respondents Dan Dale Alexander and Bernard Witkower, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of a book entitled "Arthritis and Common Sense," or any other book or books of the same or of approximately the same content, material or methods, whether sold under the same name or any other name, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or indirectly, that the regimen set out in said book provides:

1. An adequate, effective or reliable treatment for any kind of arthritis, rheumatism or related condition, or rheumatic fever.

2. An adequate, effective or reliable means of arresting the progress of, correcting the underlying causes of, or curing any kind of arthritis, rheumatism or related condition, or rheumatic fever.

3. An adequate, effective or reliable treatment for the symptoms and manifestations of any kind of arthritis, rheumatism or related condition, or rheumatic fever, or will afford any relief from aches, pains, stiffness, swelling or other discomforts thereof.

By "Final Order", report of compliance was required as follows:

It is further ordered, That the respondent shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist as modified.

Issued: July 19, 1960.

By the Commission.

[SEAL]

ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 60-9066; Filed, Sept. 28, 1960;
8:49 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs,
Department of the Treasury

[T.D. 55228]

PART 19—CUSTOMS WAREHOUSES AND CONTROL OF MERCHANDISE THEREIN

Withdrawal of Products From Bonded
Smelting and Refining Warehouses

On July 13, 1960, notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 6572) concerning the suggestion that the Customs Regula-

tions be amended to permit withdrawals for consumption from a bonded smelting and refining warehouse to be filed so long as there is on hand in the bonded smelter or refinery a quantity of metal contained in ores or crude metals in their condition as entered, or in any intermediate stage, or of smelted or refined products, which in total are equivalent to the quantity of metal covered by the withdrawal papers. Under the suggested procedure withdrawal papers would be accepted even though the total quantity of smelted or refined products physically on hand in the plant was less than the quantity specified in the withdrawal papers, provided the total metal in the plant, in all forms, e.g., ores, intermediates, and smelted and refined products, was at least as great as the quantity specified in the withdrawal. Withdrawals may not be filed for untreated materials.

Consideration having been given to all data, views, or arguments received the amendment of § 19.18 of the Customs Regulations as proposed in the notice is hereby adopted as set forth below effective 30 days after the date of publication in the FEDERAL REGISTER.

Section 19.18 of the Customs Regulations is amended by deleting the citation of authority at the end and adding the following: "However, duty-paid warehouse withdrawals for consumption may be filed with regard to metal which will be physically withdrawn in the form of smelted or refined products whether at the time of the filing of the withdrawal papers the dutiable metal covered by the bond charge being cancelled by the withdrawal is in the form of ores, concentrates, crude metals, or intermediate products. If the warehouse withdrawal for consumption covers a product which does not sustain the full wastage applicable (see § 19.22) prior to being physically released from customs custody, a proportionate part only of such wastage may be allowed. The warehouse withdrawal and delivery permit shall (1) describe the smelted or refined products to be withdrawn in terms of the condition in which they will be when released from customs custody upon presentation of the delivery permit; (2) state the estimated amount of the dutiable metal contained in the products; and (3) the warehouse withdrawal shall specify the applicable wastage. A quantity of dutiable metal equivalent to the smelted or refined products covered by each withdrawal for consumption must be actually on hand at the plant at the time of filing the withdrawals; but neither the actual ability to withdraw smelted or refined products from the warehouse nor the actual physical condition described in the withdrawal will be required as of the time of filing the withdrawal."

(Sec. 312, 46 Stat. 692; 19 U.S.C. 1312)

[SEAL]

D. B. STRUBINGER,
Acting Commissioner of Customs.

Approved: September 21, 1960.

A. GILMORE FLUES,

Acting Secretary of the Treasury.

[F.R. Doc. 60-9068; Filed, Sept. 28, 1960;
8:49 a.m.]

Title 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 4—OPERATION AND NAVI- GATION OF PANAMA CANAL AND ADJACENT WATERS

Subpart E—Transportation of Hazard- ous Cargoes in Canal Zone Waters

AMMONIUM NITRATE

Pursuant to the authority vested in the Governor of the Canal Zone by 35 CFR 4.11 as adopted by Canal Zone Order 30, January 6, 1953 (18 F.R. 280), § 4.127 of such title is amended to read as follows:

§ 4.127 Ammonium nitrate.

Vessels carrying, loading, or discharging cargoes of ammonium nitrate in Canal Zone waters shall comply with all regulations issued by the United States Coast Guard or other recognized governmental agency with respect to the handling and storage of such cargo and the precautionary measures to be taken in connection therewith. The provisions of §§ 4.108, 4.109, 4.110, 4.111, 4.112, and 4.115c apply to vessels carrying cargoes of ammonium nitrate: *Provided, however,* That specially packaged ammonium nitrate may be discharged in limited quantities at Canal Zone piers if permission is obtained in advance from the Port Captain of the intended port of discharge.

Issued at Balboa Heights, Canal Zone,
September 12, 1960.

[SEAL]

W. A. CARTER,
Governor.

[F.R. Doc. 60-9053; Filed, Sept. 28, 1960;
8:47 a.m.]

Title 45—PUBLIC WELFARE

Chapter I—Office of Education, De- partment of Health, Education, and Welfare

PART 145—NATIONAL DEFENSE GRADUATE FELLOWSHIP PRO- GRAM

Part 145 establishes regulations for the administration of the National Defense Graduate Fellowship Program pursuant to Title IV of the National Defense Education Act of 1958, as amended, 72 Stat. 1590-1591, 20 U.S.C. 461-465.

Part 145 reads as follows:

Sec.

- 145.1 Definitions.
- 145.2 Summary of program.
- 145.3 Approval of graduate programs.
- 145.4 Payments to institutions.
- 145.5 Records substantiating payments.
- 145.6 Award of fellowships to individuals.
- 145.7 Payments of stipends.
- 145.8 Reports by institutions of higher education.

AUTHORITY: §§ 145.1 to 145.8 issued under sections 401-405, 1001, 72 Stat. 1590-1591, 1602; 20 U.S.C. 461-465, 581.

§ 145.1 Definitions.

As used in this part:

(a) "Act" means the National Defense Education Act of 1958, Public Law 85-864,

as amended, 72 Stat. 1580, 20 U.S.C. 401-589.

(b) "Title IV" means title IV of such Act.

(c) "Institution of higher education" or "institution" means an educational institution in any State which meets the requirements set forth in section 103(b) of the Act. The term "educational institution" limits the scope of this definition to establishments at which teaching is conducted and which have an identity of their own. The separate identity of such establishments is generally reflected by their being incorporated or chartered for such purposes in their own right, or by their receiving a separate listing in part III of the Office of Education "Education Directory."

(d) "Public" as applied to any institution does not include an institution of any agency of the United States.

(e) "Nonprofit" as applied to any institution means an institution owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(f) "State" means a State, Puerto Rico, the District of Columbia, the Canal Zone, Guam, or the Virgin Islands.

(g) "Fellowship" means an award by the Commissioner under Title IV. A "Fellowship holder" or "Fellow" means a person designated to receive the award, which entitles him to receive the stipend.

(h) "Approved program" means a program of graduate study approved as provided in § 145.3.

(i) "Commissioner" means the U.S. Commissioner of Education, Department of Health, Education, and Welfare or his delegate.

(j) "Stipend" means the payments made to a Fellow in accordance with section 404(a) of the Act (1) for each academic year of his study in an approved program and (2) on account of each of his dependents.

(k) "Academic year" consists of not less than two semesters or three quarters, beginning in the fall of the year, and falling within a single twelve month period.

§ 145.2 Summary of program.

(a) *Purpose.* The National Defense Graduate Fellowship Program has the objectives of increasing the facilities available for the graduate training of college or university level teachers, of promoting a wider geographical distribution of such facilities throughout the United States, and of assisting persons interested in teaching in institutions of higher education to obtain the Ph.D. or similar degree.

(b) *Fellowship awards.* The Commissioner is authorized to award up to one thousand Fellowships during the fiscal year ending June 30, 1959, and fifteen hundred Fellowships during each of the three succeeding fiscal years. A Fellowship will usually be awarded for three academic years; but in any case will not be for more than three academic years.

(c) *Payments to fellows and institutions of higher education.* Stipends to Fellows will be paid in accordance with

§ 145.7. In addition, to the extent permitted by § 145.4, the Commissioner shall make payments to institutions to cover that portion of the cost of an approved graduate program which is reasonably attributable to each Fellow.

(d) *Approval of programs and allotment of fellowships.* The Commissioner will approve graduate programs at institutions in accordance with § 145.3, and will determine the number of fellowships to be allotted to each such program. Public announcement will be made listing the approved programs and the institutions at which they are to be offered. An individual desiring a Fellowship should apply for acceptance as described in section 145.6 at the institution of his choice from among those listed.

§ 145.3 Approval of graduate programs.

(a) *Minimum requirements for approval of programs.* The programs to be approved will be selected from those:

(1) For the completion of which a Ph. D. or similar degree is awarded;

(2) Which constitute a new or expanded program of graduate study;

(3) Which substantially further the objective of increasing the facilities available in the Nation for the graduate training of college or university level teachers;

(4) Which promote a wider geographical distribution of facilities for the graduate training of college or university level teachers throughout the Nation; and

(5) In which a preference in the acceptance of persons for study is given to persons interested in teaching in institutions of higher education.

(b) *Applications.* Approval of graduate programs shall be on the basis of applications submitted by institutions of higher education in accordance with procedures established by the Commissioner. Applications shall contain information as to the proposed increase in facilities and/or faculty for the establishment of the new program or expansion of an existing program and shall indicate the total increase in enrollment (or total enrollment in the case of a new program) which the increase in facilities and/or faculty will enable the program to accommodate. The proposed development of the program should normally be such as to make possible the admission of sufficient first-year students each year to achieve the total anticipated increase in enrollment (or total anticipated enrollment in the case of a new program) within three years.

(c) *Organization of programs.* Programs may be organized by an institution in any manner appropriate to the field of study of the program, including but not restricted to: departmental, e.g., Political Science; a special field within a department, e.g. Political Theory; interdisciplinary, e.g. Psychology and Politics; or intercollege, e.g. Law and Politics.

(d) *Joint institutional sponsorship.* Two or more institutions may jointly submit a program for approval. The application must be signed by an authorized representative of each institution, and it must be agreed that credits earned

at each of the institutions are fully transferable to the other.

(e) *Dates for applying.* Each year a date will be announced for the submission of applications by institutions for the approval of a new or expanded program to accommodate those who will be awarded Fellowships in the ensuing period. Institutions of higher education may secure forms for application from Division of Higher Education, Office of Education, Department of Health, Education, and Welfare, Washington 25, D.C.

(f) *Criteria for the selection of approved programs.* The following criteria will be considered in determining which of the programs meeting the foregoing requirements are to be approved:

(1) The prospective ability of the applying institution, in terms of faculty, libraries, and equipment, competently to offer the program;

(2) Current or prospective national or regional shortage of college or university teachers in the proposed field;

(3) Current or prospective national or regional inadequacies in the offering of proposed subjects;

(4) Adequate ratio, at the applying institution, between the number of graduate faculty and the proposed number of graduate students;

(5) The amount and extent of the applying institution's previous planning and development in the field proposed in the program;

(6) Likelihood that the applying institution will be able soundly to support the proposed program on a long-term basis;

(7) Likelihood that the proposed program will produce teachers for institutions of higher education.

(g) *Notification of Commissioner's action.* The Commissioner will notify each institution of higher education which has applied for approval of a graduate program whether such approval has been given, and if so, the number of Fellowships which the Commissioner is prepared to allot for such program.

(h) *Effect of approval.* Approval of a program is effective during any period in which a Fellowship holder is enrolled in the program, unless approval is withdrawn, as provided in paragraph (j) of this section. Continued approval of a program does not necessarily mean, however, that new Fellowships will be awarded to students enrolling in the program in any given year.

(i) *Number of fellowships to be allotted.* In determining the number of Fellowships to be allotted to an Approved Program the Commissioner will take into account the total increase in enrollment (or total enrollment in the case of a new program) anticipated at the end of the three year period of development of the Program. For the first year the Commissioner will allot that number of Fellowships that best facilitates the planned expansion of enrollment. New Fellowships may be allotted to provide for students enrolling in the program thereafter. After the first year in which Fellowships are allotted, however, the institution will be expected to assume increasing responsibility for the support of the continued increase in enrollment in

the program. In the event of changed conditions, the Commissioner reserves the right to change the number of Fellowships allotted for any approved program.

(j) *Conditions for continued approval.* The approval of a program is based upon information supplied by the applicant institution. The Commissioner may terminate or suspend his approval of any program which is not developed or operated substantially in accordance with such information, or in compliance with requirements of the Act and Regulations. The institution will promptly advise the Commissioner in writing whenever a material change is contemplated regarding any description or other information previously furnished the Commissioner in connection with the Approved Program.

§ 145.4 Payments to institutions.

Institutions are entitled to receive such amount (not to exceed \$2,500 per Fellow per academic year) as the Commissioner determines to constitute that portion of the cost of the new program or of the expansion in an existing program which is reasonably attributable to each Fellowship holder enrolled therein. Payments to institutions will be made during a fiscal year on the basis of estimates for such year, and in such installments as the Commissioner may prescribe.

§ 145.5 Records substantiating payments.

Institutions entitled to payments under section 145.4 shall keep accessible and intact all records necessary to support claims for such payments: (a) For three years after the close of the fiscal year to which such records relate; or (b) until they are notified that such records are not needed for program administration review; or (c) until they are notified of the completion of the Department's fiscal audit, whichever is later. The records involved in any claims which have been questioned shall be further maintained until necessary adjustments have been made and the adjustments have been reviewed and cleared by the Department.

§ 145.6 Award of fellowships to individuals.

(a) *Applications.* An individual shall submit his application for a Fellowship through the institution operating the Approved Program in which he wishes to study.

(b) *Nominations.* From among those accepted for study in an Approved Program, the institution shall make nominations to the Commissioner. The institution shall give preference to those interested in becoming teachers in institutions of higher education. Wherever possible the institution should nominate alternates in addition to the regular nominations.

(c) *Eligibility of individuals for nomination.* A person may be nominated only if it is determined that at the time he is to commence study under the Fellowship he will have completed the requirements for the baccalaureate degree or its equivalent, and in the case of a 3-year Fellowship, that he will have completed

no more than one half year of study beyond the baccalaureate degree creditable toward the degree to be awarded upon successful completion of his course of study in the Approved Program. A limited number of persons who have completed one or two years of graduate study will be awarded two and one year Fellowships respectively.

(d) *Citizenship.* To be eligible for a Fellowship, a person must be a citizen or national of the United States, or have such immigration status and personal plans as to indicate that he is in the United States for other than a temporary purpose.

(e) *Award by the Commissioner.* The Commissioner will award Fellowships to individuals selected by him from among those nominated as described in paragraph (b) of this section and each individual nominated will be advised as soon as practicable of the action taken by the Commissioner on his nomination. Awards are normally made during the academic year preceding the year in which study under a Fellowship is to begin. Fellowships will be for study in the program for which the Fellow was nominated or in such other Approved Program as the Commissioner may permit.

(f) *Period of fellowship award.* Each Fellowship shall be for a period not to exceed three consecutive academic years beginning with the academic year indicated in the award; except that, on the application of the Fellowship holder, forwarded to the Commissioner with the recommendation of the institution, the Commissioner may waive the requirement of consecutive years for good cause, such as illness, or involuntary induction into the Armed Services, or other circumstances deemed by the Commissioner to be consistent with the objectives of the program.

(g) *Payments conditioned on appropriation.* Fellowship payments after the first year of the Fellowship period are conditioned on the availability of appropriations therefor. Normally, payments during an academic year are made from an appropriation for the preceding fiscal year.

§ 145.7 Payments of stipends.

(a) *Amount.* Each person awarded a Fellowship shall receive a stipend of (1) \$2,000 for the first academic year level of study in an Approved Program; \$2,200 for the second such year; and \$2,400 for the third such year; and (2) \$400 for each such year on account of each of his dependents, as defined in paragraph (c) of this section.

(b) *Installments.* Stipends will be paid by the Commissioner in installments which will cover a specific period of the academic year, but only upon certification by the institution, at such times as the Commissioner may prescribe, that the Fellow is enrolled and in good standing. An individual will not be entitled to any such installment with respect to any period during which he is ineligible as described in paragraph (c) of this section. If dependency begins during the first half of an installment period a Fellow is entitled to the amount payable for an entire installment period

on account of such dependent. If dependency begins in the second half of an installment period, a Fellow is entitled to half of the amount payable for the entire installment period.

(c) *Dependents.* A dependent is an individual who receives one-half or more of his support from the Fellow and either, (1) is a spouse, child (including step-child), or parent (including step-parent or parent-in-law) of the Fellow, or (2) is one for whose support the Fellow is legally responsible.

(d) *Oath and affidavit.* In conformity with section 1001(f) of the Act, no stipend may be paid to an individual unless there is on file with the Commissioner the following duly executed oath and affidavit on the form prescribed by the Commissioner:

I, _____, do
(Type or print full name of applicant)
solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America and will support and defend the Constitution and laws of the United States of America against all its enemies, foreign and domestic.

I, the above-named, do solemnly swear (or affirm) that I do not believe in, and am not a member of and do not support any organization that believes in or teaches, the overthrow of the United States Government by force or violence or by any illegal or unconstitutional methods.

I hereby authorize and cause this affidavit to be filed with the United States Commissioner of Education, in conformity with section 1001(f) of the National Defense Education Act of 1958, and certify that the statements made by me herein are true to the best of my knowledge and belief.

(e) *Conditions for continued eligibility.* In order to remain eligible for a stipend, (1) the Fellow must maintain satisfactory proficiency in his work in the approved program; (2) the Fellow must not receive simultaneous payments, except to the extent permitted in paragraph (f) of this section, under other Federal educational benefit programs; and (3) the Fellow must continue to carry the normal institutional and departmental full workload without gainful employment, except as provided in paragraph (g) of this section.

(f) *Other Federal education benefits.* A person receiving assistance under Public Law 550 (Veterans Readjustment Assistance Act of 1952) or receiving any other direct Federal educational benefit, may not, concurrently, receive a stipend. However, Fellows are eligible to apply for loans under the National Defense Student Loan Program, Title II of the Act.

(g) *Outside or part-time work.* A Fellow may not engage in gainful employment during the period of his Fellowship, except that a Fellow holding a three or two year fellowship may be employed by the institution in which he is enrolled, in teaching or research determined to be beneficial to his academic program, up to one-fourth time during no more than one of such academic years. The Commissioner may approve a longer time upon written application, submitted by the Fellow and approved by his advisor and the Dean of the Graduate School, setting forth the need of the Fellow for such employment and its relation to his academic program.

A person appointed to a one-year Fellowship may not engage in any gainful employment during the period of his Fellowship. These limitations with respect to employment do not apply to any periods of time falling between academic years.

(h) *Changes in circumstances.* The Fellowship holder shall report promptly in writing to the institution regarding any change which might relate to a condition of continued eligibility, except that, in case of change in the number or status of dependents, he shall report in writing directly to the Commissioner.

§ 145.8 Reports by institutions of higher education.

Each institution of higher education with an approved graduate program shall promptly report in writing to the Commissioner any change in the continued eligibility of the Fellowship holder studying at such institution. The institution shall maintain reasonable procedures designed to provide it with the information required for such reports. In addition, the institution shall make such other reports relevant to the administration of the Approved Program as the Commissioner may require.

Dated: September 14, 1960.

[SEAL] L. G. DERTHICK,
Commissioner of Education.

Approved: September 23, 1960.

BERTHA ADKINS,
Acting Secretary of Health,
Education, and Welfare.

[F.R. Doc. 60-9063; Filed, Sept. 28, 1960;
8:48 a.m.]

Title 50—WILDLIFE

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

Columbia National Wildlife Refuge, Washington

The following special regulation is issued.

§ 32.32 Special regulations; big game for individual wildlife refuge areas.

WASHINGTON

COLUMBIA NATIONAL WILDLIFE REFUGE

Hunting of big game on the Columbia National Wildlife Refuge, Washington, is permissible only under the following conditions:

(a) Species permitted to be taken: Deer.

(b) Open season: October 9 through November 30, 1960.

(c) Bag limits: As prescribed by State regulations, one buck with visible antlers, October 9 through November 6, 1960. One deer either sex, October 22 through November 30, 1960.

(d) Methods of hunting:

1. Weapons: must be in accordance with State regulations.

(e) Description of areas open to hunting:

Hunting is permitted in accordance with (a) above on the posted area which comprises approximately 5,662 acres and 26 percent of the total refuge and which is described as follows:

1. All Government land within the refuge east of the road between Herman Lake and the six-mile bridge across the Potholes Canal.

2. All Government land within the refuge north of the public access road between Goose Lake and Dike I Lake.

3. Additional isolated tracts of Government land described as follows:

- T. 15 N., R. 23 E., W.M.,
Sec. 2, lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, and S $\frac{1}{2}$;
T. 16 N., R. 24 E.,
Sec. 22, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 24, N $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 26, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 28, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and S $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 30, lot 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 32, S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 34, S $\frac{1}{2}$ S $\frac{1}{2}$;
T. 16 N., R. 25 E.,
Sec. 18, lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 20, N $\frac{1}{2}$ and SW $\frac{1}{4}$;
Sec. 22, W $\frac{1}{2}$;
Sec. 24, NE $\frac{1}{4}$ and N $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 26, N $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 28, N $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 30, lots 1, 2, and 3, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 32, S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 34, S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$;
T. 16 N., R. 26 E.,
Sec. 18, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 20, NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 22, E $\frac{1}{2}$ E $\frac{1}{2}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 26, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 28, N $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 32, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 34, S $\frac{1}{2}$ NW $\frac{1}{4}$.

(f) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

(2) A Federal permit is not required to enter the public hunting area.

(3) Camping. Camping will be permitted in designated area only.

(4) Checking stations: Hunters will report at such checking stations as may be designated when entering or leaving the area.

(5) Provisions of this special regulation are effective October 9, 1960 through November 30, 1960.

RICHARD E. GRIFFITH,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 19, 1960.

[F.R. Doc. 60-9046; Filed, Sept. 28, 1960;
8:46 a.m.]

PART 32—HUNTING

Deer Flat National Wildlife Refuge, Idaho

The following special regulation is issued.

§ 32.32 Special regulations; big game for individual wildlife refuge areas.

IDAHO

DEER FLAT NATIONAL WILDLIFE REFUGE

Hunting of big game on the Deer Flat National Wildlife Refuge, Idaho, is permissible only under the following conditions:

(a) Species permitted to be taken: Deer.

(b) Open season: From one hour before sunrise to one hour after sunset October 15 through October 30, 1960—shotguns only. December 3 through December 19, 1960—archery only.

(c) Bag limits: As prescribed by State regulations, one deer per season.

(d) Methods of hunting: 1. Weapons: Shotguns (first season) or bow and arrow only (second season).

(e) Description of areas open to hunting: Hunting is permitted in accordance with (a) above on the posted area which comprises approximately 840 acres and 7 percent of the total refuge and which is described as follows:

All refuge lands from Lower Embankment along the south shore to the New York Canal.

(f) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

(2) A Federal permit is not required to enter the public hunting area.

(3) Camping: Camping will be permitted in designated area only.

(4) Checking stations: Hunters will report at such checking stations as may be designated when entering or leaving the area.

(5) The provisions of this special regulation are effective October 15, 1960 through December 19, 1960.

RICHARD E. GRIFFITH,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 19, 1960.

[F.R. Doc. 60-9047; Filed, Sept. 28, 1960;
8:46 a.m.]

PART 32—HUNTING

Desert Game Range, Nevada

The following special regulation is issued.

§ 32.32 Special regulations; big game for individual wildlife refuge areas.

NEVADA

DESERT GAME RANGE

Hunting of big game on the Desert Game Range, Nevada, is permissible only under the following conditions:

(a) Species permitted to be taken: Desert bighorn sheep, deer and elk.

(b) Open season: Desert bighorn sheep—November 26, 1960 through December 11, 1960 (Unit B2) and December 16 through December 19, 1960 (Unit B1).

Elk—October 22, 1960 through November 20, 1960.

Deer—October 22, 1960 through November 20, 1960.

(c) Bag limits: As prescribed by State regulations, one deer, one sheep and one elk per season.

(d) Methods of hunting: 1. Weapons: In accordance with State regulations.

(e) Description of areas open to hunting:

Hunting is permitted in accordance with (a) above on the posted area which comprises approximately 1,350,000 acres and 60 percent of the total refuge and which is described as follows:

Desert bighorn sheep: All refuge lands in State hunting area B1 and that portion of the Desert Game Range east of the Alamo Road. (B2)

Elk: That portion of Desert Game Range adjacent to Charleston Unit of Toiyabe National Forest.

Deer: That portion of Desert Game Range south of Highway 95.

(f) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

(2) A Federal permit is not required to enter the public hunting area. However, a State permit is required to hunt sheep and elk.

(3) Checking stations: Elk and sheep hunters must report at designated checking stations when entering or leaving area.

(4) The provisions of this special regulation are effective October 22, 1960 through December 19, 1960.

RICHARD E. GRIFFITH,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 20, 1960.

[F.R. Doc. 60-9048; Filed, Sept. 28, 1960; 8:46 a.m.]

PART 32—HUNTING

Medicine Lake National Wildlife Refuge, Montana

The following special regulation is issued.

§ 32.32 Special regulations; big game for individual wildlife refuge areas.

MONTANA

MEDICINE LAKE NATIONAL WILDLIFE REFUGE

Hunting of big game on the Medicine Lake National Wildlife Refuge, Montana, is permissible only under the following conditions:

(a) Species permitted to be taken: Deer.

(b) Open season: October 16 through October 23, 1960.

(c) Bag limits: As prescribed by State regulations, one deer per season.

(d) Methods of hunting: 1. Weapons: Must be in accordance with State regulations.

(e) Description of areas open to hunting:

Hunting is permitted in accordance with (a) above on the posted area which comprises approximately 2,240 acres and 7 percent of the total refuge and which is described as follows:

T. 31 N., R. 57 E., P.M.

Sec. 17, All;

Sec. 18, that portion southwest of the county road;

Sec. 19, all;

Sec. 20, all.

(f) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

(2) A Federal permit is not required to enter the public hunting area.

(3) Camping: No camping will be permitted on the area.

(4) Checking stations: Hunters will report at such checking stations as may be designated when entering or leaving the area.

(5) The provisions of this special regulation are effective October 16, 1960 through October 23, 1960.

RICHARD E. GRIFFITH,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 19, 1960.

[F.R. Doc. 60-9049; Filed, Sept. 28, 1960; 8:46 a.m.]

PART 33—SPORT FISHING

Reelfoot National Wildlife Refuge, Tennessee

The following special regulation is issued.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

TENNESSEE

REELFOOT NATIONAL WILDLIFE REFUGE

Sport fishing on the Reelfoot National Wildlife Refuge, Tennessee is permissible only under the following conditions:

(a) Species permitted to be taken: As prescribed by State regulations.

(b) Open season: September 28, 1960 through October 23, 1960.

(c) Daily creel limits: As prescribed by State regulations.

(d) Methods of fishing:

(1) Tackle—as prescribed by State regulations.

(2) Boats—boats with outboard motors, and inboard motors of not more than six (6) horsepower may be used.

(e) Description of areas open to fishing:

Fishing is permitted in accordance with (a) above on the posted area which comprises approximately 9,092 acres and 92 percent of the total refuge and which is described as follows:

Entire refuge area lying within the State of Tennessee.

(f) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.

(3) The provisions of this special regulation are effective September 28, 1960 through October 23, 1961.

(4) Persons must follow such routes of travel as are designated by posting by the officer-in-charge.

W. L. TOWNS,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 23, 1960.

[F.R. Doc. 60-9050; Filed, Sept. 28, 1960; 8:46 a.m.]

Proposed Rule Making

FEDERAL AVIATION AGENCY

[14 CFR Part 600]

[Airspace Docket No. 60-WA-62]

FEDERAL AIRWAYS

Modification

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.6283 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 283 presently extends in part from Fresno, Calif., to Lakeview, Oreg., via the Reno, Nev., VOR. The Federal Aviation Agency is considering the modification of this segment of Victor 283 by realigning it from the Fresno, Calif., VOR via the Friant, Calif., VOR thence via a VOR to be installed approximately March 1, 1961, near Lake Tahoe, Calif., at Lat. 39° 10'50" N., Long. 120°16'07" W, to the Lakeview, Oreg., VOR.

This modification would permit the routing of Los Angeles, Calif., to Portland, Oreg.-Seattle, Wash., traffic via a shorter route and would provide more precise navigational guidance along the airway. The control areas associated with Victor 283 are so designated that they would automatically conform with the modified airway. Accordingly, no amendment relating to such control areas would be necessary.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 45, Calif. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Field Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Re-

gional Air Traffic Management Field Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C. on September 23, 1960.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 60-9039; Filed, Sept. 28, 1960;
8:45 a.m.]

[14 CFR Part 600]

[Airspace Docket No. 60-KC-69]

FEDERAL AIRWAYS

Modification

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.6067 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 67 presently extends, in part, from Mason City, Iowa, to Rochester, Minn., including a west alternate. The Federal Aviation Agency is considering modifying the present standard west alternate between Mason City and Rochester by realigning it via the intersection of the Mason City VORTAC 023° and the Rochester VOR 243° True radials. This modification would provide an intersection near the Austin, Minn., Airport to be used as a clearance limit fix for the management of air traffic arriving Austin and en route to Rochester. The control areas associated with Victor 67 are so designated that they would automatically conform to the modified airway. Accordingly, no amendment relating to such control areas would be necessary.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Field Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this

notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Field Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on September 23, 1960.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 60-9041; Filed, Sept. 28, 1960;
8:45 a.m.]

[14 CFR Parts 600, 601]

[Airspace Docket No. 60-LA-52]

FEDERAL AIRWAYS, CONTROL AREAS AND REPORTING POINTS

Revocation

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering amendments to Parts 600 and 601 of the regulations of the Administrator, the substance of which is stated below.

Red Federal airway No. 15, extends from Prescott, Ariz., to Phoenix, Ariz. The Federal Aviation Agency is considering revoking this airway in its entirety. It is the policy of this Agency to revoke L/MF airways wherever adequate VOR airways are available, and it appears that the route from Prescott to Phoenix is adequately served by VOR Federal airway No. 105. In addition, a Federal Aviation Agency IFR peak-day airway traffic survey for the period July 1, 1959, through June 30, 1960, shows no aircraft movements on Red 15. Therefore, it appears that the retention of this airway is unjustified as an assignment of airspace. Accordingly, the Federal Aviation Agency proposes to revoke Red 15 and its associated control areas. Adoption of this proposal would not necessarily result in discontinuance of the low frequency navigational aids associated with this airway. Any proposals to discontinue one or more of these aids would be processed in accordance with current Agency procedures.

Concurrently with this action, it would be necessary to revoke § 601.4215, relating to designated reporting points associated with Red 15.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, 5651 West Man-

chester Avenue, P.O. Box 90007, Airport Station, Los Angeles 45, Calif. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Field Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Field Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on September 23, 1960.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 60-9040; Filed, Sept. 28, 1960;
8:45 a.m.]

[14 CFR Part 602]

[Airspace Docket No. 60-WA-175]

CODED JET ROUTES

Establishment

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 602 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration a request by the Air Transport Association to establish a coded jet route for nonstop service between Dallas, Tex., and the Chicago, Ill.-Milwaukee, Wis., terminal areas. This jet route would provide a more direct route for nonstop air traffic between these points and would also bypass the Kansas City, Mo., and St. Louis, Mo., terminal areas.

This jet route would extend from Dallas to Milwaukee. However, Dallas to Chicago flights could proceed via the proposed route and VOR/VORTAC jet route No. 90 or via the proposed route to Moline, Ill., thence via intermediate or basic airways to Chicago.

The segment of this proposed route between Springfield, Mo., and Moline, Ill., would pass through the Panda Bear high altitude refueling area; however, it is anticipated that adequate radar flight advisory service would be provided air-

craft on this and other segments of the proposed route.

If this action is taken, VOR/VORTAC jet route No. 105 would be established from the Dallas, Tex., VORTAC to the Milwaukee, Wis., VORTAC via the Springfield, Mo., VORTAC; Moline, Ill., VORTAC, and the intersection of the Moline VORTAC 042° and the Milwaukee VORTAC 228° True radials to the Milwaukee VORTAC.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Utilization Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on September 22, 1960.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 60-9035; Filed, Sept. 28, 1960;
8:45 a.m.]

[14 CFR Part 602]

[Airspace Docket No. 60-WA-219]

CODED JET ROUTES

Modification

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 602.538 of the regulations of the Administrator, the substance of which is stated below.

VOR/VORTAC jet route No. 38, extends from the Duluth, Minn., VOR via the Green Bay, Wis., VORTAC to the Peck, Mich., VOR; and from the Philipsburg, Pa., VORTAC via the Allentown, Pa., VORTAC to the New York (Idlewild), N.Y., VORTAC. The Federal Aviation Agency has under consideration the modification of this route by extending it from the Duluth VOR to the United States/Canadian border via the direct radial between the Duluth VOR and the Kenora, Ontario, VOR. This extension of Jet route 38-V, as proposed, would provide a connecting

link with a Canadian High Level Airway to be established in the near future. The proposed jet route together with the proposed high level route would provide a routing for civil turbojet air-carrier flights between the United States and points in Alaska and the Orient. It is anticipated that the modified jet route would be within adequate radar coverage.

Concurrently with this action, it is proposed to revoke the segment of Jet route 38-V between Philipsburg and New York. This route segment coincides with VOR/VORTAC jet routes No. 60, 70, and 80. Revocation of Jet route No. 38-V would eliminate an unnecessary route assignment between Philipsburg and New York.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Utilization Division. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on September 23, 1960.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 60-9037; Filed, Sept. 28, 1960;
8:45 a.m.]

[14 CFR Part 602]

[Airspace Docket No. 60-WA-230]

CODED JET ROUTES

Modification

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to §§ 602.537, 602.555, and 602.579, of the regulations of the Administrator, the substance of which is stated below.

VOR/VORTAC jet route No. 37 presently extends in part from the Flat Rock, Va., VOR via the intersection of the Flat Rock VOR 024° and the Herndon, Va., VOR 164° True radials; Baltimore, Md., VOR; Allentown, Pa., VOR; Albany, N.Y.,

RULES AND REGULATIONS

VOR; to the Plattsburgh, N.Y., VOR. VOR/VORTAC jet route No. 55 presently extends in part from the Flat Rock, Va., VOR via the intersection of the Flat Rock VOR 024° and the Herndon, Va., VOR 164° True radials; Dover, Del., VOR; New York (Idlewild), N.Y., VOR; Boston, Mass., VOR; Bangor, Maine, VOR to the Presque Isle, Maine, VOR. VOR/VORTAC jet route No. 79 presently extends in part from the Norfolk, Va., VOR via Salisbury, Md., VOR; Coyle, N.J., VOR, to the Idlewild, N.Y., VOR.

The Federal Aviation Agency is considering modifying these jet route segments as follows:

1. Realign Jet Route 37-V in part from the Gordonsville, Va., VORTAC via the intersection of the Gordonsville VORTAC 059° and the Coyle, N.J., VOR 235° True radials; Coyle VOR, to the Idlewild, N.Y., VORTAC.

2. Realign Jet Route 55-V in part from the Flat Rock, Va., VORTAC via the intersection of the Flat Rock VORTAC 029° and the Gordonsville, Va., VORTAC 059° True radials; intersection of the Gordonsville VORTAC 059° and the Coyle, N.J., VOR 235° True radials; Coyle VOR; Idlewild, N.Y., VORTAC; Boston, Mass., VORTAC; intersection of the Boston VORTAC 014° and the Bangor, Maine, VOR 225° True radials; Bangor VOR, to the Presque Isle, Maine, VOR.

3. Realign Jet Route 79-V in part from the Norfolk, Va., VORTAC via the Norfolk VORTAC 023° and the Coyle, N.J., VOR 208° True radials; Coyle VOR, to the Idlewild, N.Y., VORTAC.

The modification of these jet route segments would assist air traffic management by providing sufficient area between these segments of jet routes and adjacent special use airspace to permit the application of non-radar lateral separation between aircraft operating on the jet route segments and aircraft operating in adjacent special use airspace.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Utilization Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on September 23, 1960.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 60-9036; Filed, Sept. 28, 1960;
8:45 a.m.]

[14 CFR Part 602]

[Airspace Docket No. 60-WA-132]

CODED JET ROUTES

Modification

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 602.589 of the regulations of the Administrator, the substance of which is stated below.

VOR/VORTAC jet route No. 89, presently extends from Miami, Fla., to Northbrook (Chicago), Ill. The Federal Aviation Agency is considering extending Jet Route 89-V from the Northbrook VORTAC, via the Milwaukee, Wis., VORTAC to the Duluth, Minn., VOR, to provide a shorter, more direct route for high altitude traffic between Chicago and Duluth. In addition, this route would serve as a portion of a route for scheduled air carrier jet service between Chicago and Alaska, to be inaugurated in the near future.

The extension of Jet Route 89-V, as proposed, would traverse a portion of the "Quick Time" high altitude refueling area, however, it is anticipated that radar flight advisory service would be available for the entire route from Northbrook to Duluth.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Utilization Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C.

This amendment is proposed under sections 307(a) and 313(a) of the Fed-

eral Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on September 22, 1960.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 60-9038; Filed, Sept. 28, 1960;
8:45 a.m.]

FEDERAL COMMUNICATIONS
COMMISSION

[47 CFR Part 11]

[Docket No. 13812; FCC 60-1140]

POWER RADIO SERVICE

Notice of Proposed Rule Making

In the matter of amendment of Part 11, Subpart F of the Commission's rules governing the power radio service, Docket No. 13813.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. This proceeding is being instituted by the Commission in order to obtain the views and comments of interested persons with regard to the following proposals:

(a) Adaptation of the rules format presently employed in certain other Subparts of the Industrial Radio Services to Subpart F—Power Radio Service.

(b) Addition of new rules enabling electric power entities licensed within the Power Radio Service to use their radio facilities, under certain prescribed conditions, in the maintenance and repair of other wireline facilities which are mounted on or utilize common supporting or distribution structures.

(c) Addition of new rules, expanding to some extent the provisions for transmission, on a secondary basis, of audio tones and impulses on mobile service frequencies above 25 Mc, for purposes of automatically alarming of actual or impending equipment or apparatus failures, and for purposes of shutting down, or otherwise controlling equipment and apparatus to prevent or correct such failures.

FORMAT

3. In June of 1958, when the Commission issued its First Report and Order in Docket No. 11991, it was announced, in paragraph 56 of that order, that:

* * * the format for the frequency tables appearing in the Special Industrial, Business, Manufacturers, and Telephone Maintenance Radio Services differs from what has previously uniformly obtained in the Industrial Services. It is the Commission's intention to ultimately apply this same format to the tables appearing in the other Subparts of the Industrial Services.

It is in implementation of the Commission's intention to apply the new format, that the present revision is proposed. Under the new format, sections relating to "Availability and Use of Service," "Station Limitations," and "Unlisted Frequencies" have been added.

For the most part, these sections are, with certain editorial changes, a simple recodification or rearrangement of provisions presently contained at various places within various rules.

MAINTENANCE OF OTHER WIRELINE FACILITIES BY POWER RADIO SERVICE LICENSEES

4. The Commission's second proposal herein relates to the use, by an electric power entity of its radio facilities in conjunction with the maintenance of other wireline facilities, where such other facilities employ, in whole or in part, the same pole line, or duct distribution system as that of the electric power entity. This proposal is circumscribed by the condition that the maintenance of the wireline facilities must be the responsibility of the electric power entity by reason of common ownership or contractual arrangement.

5. The genesis of this proposal may be traced to the passage, by Congress, in 1949, of the Rural Telephone Service amendment to the Rural Electrification Act of 1936 (7 U.S.C. 901, et seq.). Under the terms of the Rural Telephone Service amendment, Federal funds have been made available to qualified borrowers for the purpose of establishing or improving rural telephone service. The Rural Electrification Administration (REA) is charged with the responsibility, in conjunction with its duties relating to electrical loans, of administering or making financial assistance loans available to qualified persons desirous of establishing or improving rural telephone service.

6. In many instances, those persons who had been or were "rural electrification" borrowers from REA, availed themselves of the opportunity, presented by the passage of the Rural Telephone Service amendment, to provide a first or improved rural telephone service in their communities. In an effort to provide this telephone service as quickly and economically as possible, arrangements were many times made with persons distributing electrical energy whereby the appurtenances incident to such electric power distribution might be utilized to simultaneously support or conduct the wirelines necessary to the rendition of a rural telephone service. Thus, in some areas, the same poles, lines, duct distribution systems, etc. are used by electric power and telephone entities in common. At the same time, these entities may, in terms of officers, shareholders, co-op subscribers, etc. be, for practical or operational purposes, identical. Very often, one group or crew is responsible for the maintenance and repair of the common facilities. Under the Commission's present rules this repair group or crew must be outfitted with two separate and distinct radio systems—one in the Power Radio Service, and one in the Telephone Maintenance Radio Service. That such a situation results in an inefficient and unwieldy operation from the standpoint of those charged with the responsibility of maintaining the wireline facilities and from the standpoint of the Commission's desire to effectuate an efficient use of the spectrum cannot be gainsaid.

7. Accordingly, the Commission is now proposing that when an electric power

entity is charged with the responsibility of maintaining another person's wireline facilities and such wireline facilities employ the same pole line, or duct distribution system as that of the electric power entity by reason of common ownership or contractual arrangement, the electric power entity's radio facilities may be used to maintain such other wireline facilities.

8. This proposal conforms, in essence, to a past request of the Rural Electrification Administration. If the instant proposal is adopted it will eliminate the case-by-case consideration of these problems indicated in paragraph 27 of the Commission's Report and Order in Docket No. 11991, June 23, 1958.

9. The full text of this proposed rule will be found below, § 11.252(d).

TONE OR IMPULSE SIGNALING

10. In March of 1956 the National Committee for Utilities Radio (hereafter NCUR) petitioned the Commission for institution of rule making proceedings looking toward the allowance, on a rather broad and general basis, of tone signaling for many and diverse operational purposes in the Power Radio Service. At that time the Commission was contemplating an overall inquiry into the allocation of frequencies between 25 and 890 Mc (Docket No. 11997); and the NCUR proposal was deemed to be within the ambit of that inquiry. It was, consequently, denied by order of May 1, 1957 (FCC 57-456). Subsequent to the denial of the NCUR petition, a limited form of tone signaling was considered and in fact proposed by the Commission in Docket No. 12028. By Report and Order of July 29, 1957, in Docket No. 12028, the present § 11.253(d) of the Power Radio Service Rules was added to allow tone signaling for the sole and limited purpose of automatically indicating failures in the transmission or distribution systems of Power Radio Service licensees. In its July 29th Report and Order, the Commission adverted to its May 1st, 1957 denial of the NCUR tone signaling petition, and commented that the NCUR proposal was then currently under re-examination in light of the comments that had been filed in Docket No. 12028. Since 1957 the Commission has re-examined the NCUR proposal and has also maintained a continuing study of tone signaling devices, methods and usage.

11. In view of the experience that has been gained in the use of tone-signaling in the Power Radio Service, and the fact that no harmful interference problems have arisen or been brought to the Commission's attention since § 11.253(d) was adopted in 1957, it appears that a further extension of tone signaling authority in the Power Radio Service may be warranted. It must be pointed out however that our general allocations inquiry in Docket No. 11997 has not been concluded. In that proceeding the subject of tone signaling has received much favorable attention from the participants who presented their written and oral views. Any final action which may be taken in the instant proceeding is not to be construed as a predisposition

of the matters still at issue in Docket No. 11997.

12. In substance, the Commission is now proposing to broaden the scope of tone signaling usage in the Power Radio Service to include uses which are not limited solely to the reporting of an actual failure. Specifically, our proposal provides that tone or impulse signaling may be used for purposes of automatically indicating abnormal conditions, or failures of equipment or service, in the power production, transmission or distribution facilities of a licensee. In addition, licensees may, by means of manually supervised tone or impulse transmissions, restore lost service, place standby or reserve equipment into operation, or correct any abnormal condition which, if not corrected, would otherwise result in an immediate failure in the licensee's production transmission or distribution facilities.

13. Certain conditions must necessarily circumscribe the proposed uses indicated above. Tone or impulse signaling will be allowed on mobile service frequencies above 25 Mc only on a basis secondary to that of normal voice communications; and subject to the further condition that harmful interference is not caused to the primary operations of any other licensee on the same frequency. Moreover, insofar as mobile service frequencies are concerned, they may not be used exclusively for tone or impulse signaling. On the other hand Fixed Service frequencies may be used exclusively for such purposes. In this connection the Commission is desirous of pointing out as emphatically as possible that mobile service frequency loading resulting from the use of tone signaling will not constitute a sufficient justification for the assignment of additional frequencies to a licensee's mobile service system.

14. Other operating limitations, relating to bandwidth, spacing of alarms, power limitations, automatic devices to de-activate transmitters, etc. are specified in the text of the proposed rules.

15. The §§ 11.252 (e) and (f); and 11.253 below, contains our specific proposal.

16. Authority for the proposed amendments, which are set forth in detail below, is contained in sections 4(i) and 303 of the Communications Act of 1934, as amended.

17. Any interested person who is of the opinion that the proposed amendments should not be adopted or should not be adopted in the form set forth herein, and any persons desiring to support this proposal may file with the Commission on or before November 1, 1960, a written statement or brief setting forth his comments. Replies to such comments may be filed within ten days from the last day for filing original comments. No additional comments may be filed unless (1) specifically requested by the Commission or (2) good cause for the filing of such additional comments are established. The Commission will consider all comments filed hereunder prior to taking final action in this matter provided that, notwithstanding the provisions of § 1.213 of the rules, the Com-

mission will not be limited solely to the comments filed in this proceeding.

18. In accordance with the provisions of § 1.54 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, and comments filed shall be furnished the Commission.

Adopted: September 20, 1960.

Released: September 22, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

Subpart F—Power Radio Service

Sec.

- 11.251 Eligibility.
- 11.252 Availability and use of service.
- 11.253 Station limitations.
- 11.254 Frequencies available.
- 11.255 Unlisted frequencies.

§ 11.251 Eligibility.

The following persons are eligible to hold authorizations to operate radio stations in the Power Radio Service:

(a) Persons primarily engaged in the generation, transmission, or distribution of electrical energy, for use by the general public or by the members of a cooperative organization.

(b) Persons primarily engaged in the distribution of artificial or natural gas by means of pipe line, for use by the general public or by the members of a cooperative organization, or in a combination of that activity with the production, transmission or storage of artificial or natural gas preparatory to such distribution.

(c) Persons primarily engaged in the distribution of water or steam by means of pipe line or, in the case of water, by means of canal or open ditch, for use by the general public or by the members of a cooperative organization, or in a combination of that activity with the collection, transmission, storage, or purification of water or the generation of steam preparatory to such distribution.

(d) A nonprofit corporation or association, organized for the purpose of furnishing a radiocommunication service to persons who are actually engaged in one or more of the activities set forth in the preceding subparagraphs. Such a corporation or association shall render service only on a nonprofit cost-sharing basis, said cost to be prorated on an equitable basis among all persons to whom service is rendered. Records which reflect the cost-sharing nonprofit nature of the arrangement shall be maintained and held available for inspection by Commission representatives. Each person licensed under the provisions of this paragraph shall obtain prior approval from the Commission for each person who proposes to participate in the licensee's service.

§ 11.252 Availability and use of service.

(a) The initial application from a person claiming eligibility in the Power Radio Service must be accompanied by a statement in detail sufficient to indicate clearly such eligibility.

(b) Persons licensed under the provisions of § 11.251(b) may utilize their radio facilities in conjunction with the supplying of liquefied petroleum gas to

consumers in areas beyond gas distribution pipe lines.

(c) Persons eligible for radio authorizations in the Power Radio Service who are engaged in the distribution of natural gas direct to consumers and who have a substantial requirement for mobile service communication with a gas supplier may be authorized to operate on the Petroleum Radio Service frequency or frequencies assigned to the supplier: *Provided, however,* That such operation shall be limited to communications in a local area common to both parties, and shall relate only to gas supply and distribution activities. The application of any person seeking a frequency assignment under the provisions of this paragraph shall be accompanied by a written statement from the natural gas supplier which:

(1) Concurs in the need for such intercommunication; and

(2) Consents to the use by the natural gas distributor of the frequency or frequencies involved.

(d) Radio facilities licensed to an electric power entity may be utilized to maintain any other wireline facilities where such facilities employ in whole or in part the same pole line or duct distribution system as that of the electric power entity and where the licensee has the responsibility to maintain such additional wireline facilities through common ownership or contractual arrangement.

(e) Fixed operations in the Power Service are authorized primarily for voice as well as tone and impulse signaling. Mobile operations in the Power Service are authorized primarily for voice communications and such tone or impulse signaling as may be necessary to establish or maintain voice communication.

(f) Tone or impulse signaling, for purposes other than to establish or maintain voice communications may be secondarily used to the extent provided in this Subpart on mobile service frequencies above 25Mc in the Power Radio Service subject to the condition that harmful interference is not caused to the primary operations of any other licensee on the particular frequency. All such secondary tone or impulse signaling shall be subject to the following limitations:

(1) The only purposes for which such secondary signaling may be used are:

(i) Automatic indication of failure of equipment or service in the power production, transmission or distribution facilities of the licensee.

(ii) Automatic indication of an abnormal condition in the power production, transmission or distribution facilities of the licensee, which if not promptly corrected would result in failure of the equipment affected.

(iii) Manually supervised transmissions as may be necessary to restore lost service, place standby equipment in operation, or to correct any abnormal condition, which otherwise would result in an immediate failure in the power production, transmission or distribution facilities of the licensee.

(2) Any one alarm, warning or corrective requirement utilizing secondary

tone or impulse signaling shall be limited to not more than five transmissions, not to exceed six seconds each, and no two transmissions shall commence in the same sixty-second period.

(3) The bandwidth utilized for secondary tone or impulse signaling shall not exceed that authorized to the licensee for voice emission on the frequency concerned.

(4) Frequency loading resulting from the use of secondary tone or impulse signaling will not be considered in whole or in part as a justification for authorizing additional frequencies in the licensee's mobile service system.

(5) A mobile service frequency may not be used exclusively for secondary tone or impulse signaling.

§ 11.253 Station limitations.

(a) Mobile relay stations will be authorized in the Power Radio Service only in accordance with the provisions of § 11.7.

(b) Base or mobile stations licensed in this service on frequencies above 25 Mc may transmit secondary tone or impulse signals to receivers at fixed locations, subject to the conditions, and for the purposes set forth in § 11.252 (e) and (f). Such a base or mobile station authorization for F3 emission will be construed to include authority for the transmission of secondary tone or impulse signals.

(c) Operational fixed stations may be authorized in this service on any frequency above 25 Mc which is being used by the applicant for mobile operations, subject to the conditions and for the purposes set forth in § 11.252 (e) and (f) and further subject to the following limitations and exemptions:

(1) Only those operational fixed stations which are automatically activated will be authorized under the provisions of this paragraph and the operation of such stations shall cause no harmful interference to any station operating in the mobile service on the same frequency.

(2) The plate power input to the final radio frequency stage of any transmitter shall not exceed 50 watts.

(3) Only A1, A2 or F2 emission will be authorized for such operational fixed stations.

(4) Operational fixed stations licensed under the provisions of this paragraph are exempt from the requirements of §§ 11.54(e)(2), 11.107(c) and 11.152.

(5) Any Operational Fixed Station authorized under the provisions of this paragraph shall be equipped with a device which will automatically de-activate the transmitter, and require manual re-set in the event the carrier of such transmitter remains on for a period in excess of three minutes.

§ 11.254 Frequencies available.

(a) The following tabulation indicates the frequencies or bands of frequencies available for assignment to stations in the Power Radio Service together with the class of station(s) to which they are normally assigned and the specific assignment limitations, which are enumerated in paragraph (b) of this section:

Frequency or band	Class of station(s)	Limitations	Frequency or band	Class of station(s)	Limitations
Kc.			Mc.		
2292	Base or mobile	10	73.66	Operational fixed	3
2398	do	10	73.70	do	3
4637.5	do	10	73.74	do	3
			73.78	do	3
Mc.			73.82	do	3
27.235	Base, mobile, or fixed	2, 8	73.86	do	3
27.245	do	2, 8	73.90	do	3
27.255	do	2, 8	73.94	do	3
27.265	do	2, 8	73.98	do	3
27.275	do	2, 8	74.02	do	3
37.46	Base or mobile		74.06	do	3
37.50	do		74.10	do	3
37.54	do		74.14	do	3
37.58	do		74.18	do	3
37.62	do		74.22	do	3
37.66	do		74.26	do	3
37.70	do		74.30	do	3
37.74	do		74.34	do	3
37.78	do		74.38	do	3
37.82	do		74.42	do	3
37.86	do		74.46	do	3
40.68	Operational fixed	4, 5	74.50	do	3
47.70	Base or mobile		74.54	do	3
47.72	do		74.58	do	3
47.74	do		75.42	do	3
47.76	do		75.46	do	3
47.78	do		75.50	do	3
47.80	do		75.54	do	3
47.82	do		75.58	do	3
47.84	do		75.62	do	3
47.86	do		75.66	do	3
47.88	do		75.70	do	3
47.90	do		75.74	do	3
47.92	do		75.78	do	3
47.94	do		75.82	do	3
47.96	do		75.86	do	3
47.98	do		75.90	do	3
48.00	do		75.94	do	3
48.02	do		75.98	do	3
48.04	do		153.41	Base or mobile	
48.06	do		153.44	do	11
48.08	do		153.47	do	
48.10	do		153.50	do	11
48.12	do		153.53	do	
48.14	do		153.56	do	11
48.16	do		153.59	do	
48.18	do		153.62	do	11
48.20	do		153.65	do	
48.22	do		153.68	do	11
48.24	do		153.71	do	
48.26	do		158.13	do	
48.28	do		158.16	do	11
48.30	do		158.19	do	
48.32	do		158.22	do	11
48.34	do		158.25	do	
48.36	do		169.425	Operational fixed	4
48.38	do		169.475	do	4
48.40	do		169.525	do	4
48.42	do		169.575	do	4
48.44	do		170.225	do	4
48.46	do		170.275	do	4
48.48	do		170.325	do	4
48.50	do		170.375	do	4
48.52	do		171.025	do	4
48.54	do		171.075	do	4
72.02	Operational fixed	3	171.125	do	4
72.06	do	3	171.175	do	4
72.10	do	3	171.825	do	4
72.14	do	3	171.875	do	4
72.18	do	3	171.925	do	4
72.22	do	3	171.975	do	4
72.26	do	3	173.25	Base or mobile	11
72.30	do	3	173.30	do	11
72.34	do	3	173.35	do	11
72.38	do	3	406.050	Operational fixed	4, 6
72.42	do	3	406.150	do	4, 6
72.46	do	3	406.250	do	4, 6
72.50	do	3	406.350	do	4, 6
72.54	do	3	412.450	do	4, 6
72.58	do	3	412.550	do	4, 6
72.62	do	3	412.650	do	4, 6
72.66	do	3	412.750	do	4, 6
72.70	do	3	451.05	Base and mobile	9
72.74	do	3	451.10	do	9
72.78	do	3	451.15	do	9
72.82	do	3	451.20	do	9
72.86	do	3	451.25	do	9
72.90	do	3	456.05	Mobile	7, 9
72.94	do	3	456.10	do	7, 9
72.98	do	3	456.15	do	7, 9
73.02	do	3	456.20	do	7, 9
73.06	do	3	456.25	do	7, 9
73.10	do	3	952-960	Operational fixed	1
73.14	do	3	1850-1990	do	1
73.18	do	3	2110-2200	do	1
73.22	do	3	2450-2500	Base, mobile, fixed	1, 2
73.26	do	3	2500-2700	Operational fixed	1
73.30	do	3	6425-6575	Base or mobile	1
73.34	do	3	6575-6875	Operational fixed	1
73.38	do	3	10,550-10,700	do	1
73.42	do	3	11,700-12,200	Base or mobile	1
73.46	do	3	12,200-12,700	Operational fixed	1
73.50	do	3	13,200-13,225	do	1
73.54	do	3	16,000-18,000	do	1, 2
73.58	do	3	26,000-30,000	do	1
73.62	do	3			

(b) Explanation of assignment limitations appearing in the frequency tabulation of this section:

(1) Limited to developmental operation only with the assigned frequency and particulars of operation specified in each authorization.

(2) Available only on a shared basis with stations in other services, and subject to no protection from interference due to the operation of industrial, scientific or medical devices.

(3) Use of this frequency is subject to the condition that no harmful interference will be caused to the reception of television channels 4 or 5. Assignments will be made only in accordance with the criteria set forth in § 11.8.

(4) This frequency will be assigned only for the specific purpose of transmitting hydrological or meteorological data. The use of this frequency is subject to the condition that harmful interference will not be caused to Federal Government stations, and further, that the hydrological or meteorological data being handled is made available to interested governmental agencies. Other provisions of this part notwithstanding, an operational fixed station operating on this frequency shall not engage in communications with any station in the mobile service unless written authorization to do so has been obtained from the Commission. Persons who desire to operate stations on this frequency should communicate with the Commission for instructions concerning the procedure to be followed in filing formal application.

(5) Use of this frequency is limited to stations located in the States of Pennsylvania and West Virginia only and is subject to no protection from interference due to the operation of industrial, scientific or medical devices on this frequency.

(6) This frequency is intended for use primarily by fixed relay stations.

(7) This frequency will not be assigned to base stations.

(8) Other provisions of this part notwithstanding, this frequency may be authorized for use with any type of emission which does not exceed an occupied bandwidth of 8 kilocycles, for intermittent transmissions; further, authorizations may be issued to permit operation on this frequency by self-actuating or other electrical or mechanical means not under the direct control of any individual. All operations on this frequency are limited to a maximum plate power input of 30 watts to the final radio frequency stage.

(9) This frequency is available for assignment on a secondary basis to fixed relay or control stations which operate as integral parts of a radio circuit over which messages are sent to or received from a mobile station without interruption for manual relaying, provided that such operation causes no harmful interference to base or mobile stations, and further provided, that this frequency will not be assigned for such control or relay operation in any instance where its use will be in a radio circuit which involves more than two automatic retrans-

missions in each direction on mobile service frequencies.

(10) Frequencies below 25 Mc will be assigned to base or mobile stations in this service only upon a satisfactory showing that, from a safety of life standpoint, frequencies above 25 Mc will not meet the operational requirements of the applicant. This frequency is available for assignment in many areas; however, in individual cases such assignment may be impracticable due to conflicting frequency use authorized to stations in other services by this and other countries. In such cases a substitute frequency, if found to be available, may be assigned from the following bands 1605-1750, 2107-2170, 2194-2495, 2505-2850, 3155-3400 or 4438-4650 kc. Since such assignments are in certain instances subject to additional technical and opera-

tional limitations, it is necessary that each application also include precise information concerning transmitter output power, type and directional characteristics, if any, of the antenna, and the minimum necessary hours of operation.

(11) This frequency is not available for assignment in the States of Arkansas, Louisiana, Oklahoma, Oregon, Texas, and Washington.

§ 11.255 Unlisted frequencies.

(a) Stations authorized to operate on frequencies within the band 890-940 Mc prior to April 16, 1958, may continue to operate in that band for the duration of the terms of their current authorizations. Such authorizations will be subject, upon proper application therefor, to renewal, modification and, in the event of a

change in the ownership of the licensee's business, assignment or transfer with the business for which they were granted. Renewal authorizations will be granted subject to the following conditions:

(1) That the licensee accepts such interference as may be received from industrial, scientific or medical equipment operating on the frequency 915 Mc;

(2) That the licensee accepts such interference as may be received from radiopositioning stations operating in the band 890-942 Mc; and

(3) That no harmful interference is caused to stations in the radiopositioning service operating on frequencies in the band 890-942 Mc.

[F.R. Doc. 60-9016; Filed, Sept. 28, 1960; 8:45 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[AA 643.3]

MILLFEED FROM CUBA

Determination of No Sales at Less Than Fair Value

SEPTEMBER 21, 1960.

A complaint was received that millfeed from Cuba was being sold in the United States at less than fair value within the meaning of the Antidumping Act of 1921.

I hereby determine that millfeed bran, shorts, middlings, and other wheat by-product feeds from Cuba are not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

Statement of reasons. It was determined that for fair value purposes, a comparison of the exporter's sales price, which is the price at which millfeed from Cuba is being sold in the United States, less the included brokerage, rail freight in the United States, ocean freight, import duty, and customs broker's fee, with the price at which millfeed is being sold for home consumption in Cuba, f.o.b. mill, was appropriate.

It was found that the exporter's sales price was lower than the home market price only as to imported wheat shorts. The quantities imported during the period under consideration, however, were considered to be not more than insignificant. Furthermore, there have been no importations of wheat shorts from Cuba since March 1960, and no importations are expected in the immediate future.

This determination and the statement of reasons therefor are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

[SEAL] A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F.R. Doc. 60-9069; Filed, Sept. 28, 1960; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 13771-13774; FCC 60M-1612]

COLUMBIA RIVER BROADCASTERS, INC., ET AL.

Order Scheduling Prehearing Conference

In re applications of Columbia River Broadcasters, Inc., Mount Vernon, Washington, Docket No. 13771, File No. BP-11933; Henry Perozzo (Kaye), Puyallup, Washington, Docket No. 13772, File No. BP-12844; KBKW, Inc. (KBKW), Aber-

deen, Washington, Docket No. 13773, File No. BP-13406; Carl-Dek, Inc., Kirkland, Washington, Docket No. 13774, File No. BP-13491; for construction permits.

It is ordered, This 23d day of September 1960, that a pre-hearing conference, pursuant to § 1.111 of the Commission's rules, will be held in the above-entitled matter at 10:00 a.m., October 5, 1960, in the Commission's offices in Washington, D.C.

Released: September 26, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-9070; Filed, Sept. 28, 1960; 8:49 a.m.]

[Docket No. 13065 etc.; FCC 60M-1607]

CONSOLIDATED BROADCASTING INDUSTRIES, INC., ET AL.

Order Continuing Hearing

In re applications of Consolidated Broadcasting Industries, Inc., Natick, Massachusetts, Docket No. 13065, File No. BP-11677; Charles A. Bell, George J. Helmer, III, Wayne H. Lewis and Edward Bleier, d/b as Newton Broadcasting Company, Newton, Massachusetts, Docket No. 13067, File No. BP-12884; Transcript Press, Inc., Dedham, Massachusetts, Docket No. 13068, File No. BP-12901; Berkshire Broadcasting Corporation, Hartford, Connecticut, Docket No. 13069, File No. BP-12917; Grossco, Inc., West Hartford, Connecticut, Docket No. 13071, File No. BP-13141; for construction permits.

The Hearing Examiner having under consideration agreements reached by parties participating at the oral argument herein, on September 22, 1960, held on the notice given by Newton Broadcasting Company that it had mailed to the Commission a petition for continuance;

It is ordered, This 23d day of September 1960, pursuant to the above-mentioned agreements, that the hearing presently scheduled for September 27, 1960 is continued until October 17, 1960, at 10:00 a.m.; that a hearing session for rebuttal evidence, if any, is scheduled to commence on November 14, 1960; and that exhibits, if any, to be offered on rebuttal shall be exchanged on or before November 7, 1960;

It is further ordered, That depositions, if any, shall be offered in evidence no later than at the hearing session, beginning November 14, 1960, unless other parties and the Hearing Examiner are notified forthwith that this date cannot be met and steps are taken as agreed upon at the oral argument;

It is further ordered, That Newton Broadcasting Company shall have all required witnesses available for the

session, beginning October 17, 1960, subject to the condition that special arrangements may be made, if necessary, for Wayne H. Lewis and Robyn Helmer, in accordance with agreements reached at the oral argument.

Released: September 26, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-9071; Filed, Sept. 28, 1960; 8:50 a.m.]

[Docket No. 13683; FCC 60M-1606]

CUSIMANO CONSTRUCTION CORP.

Order Continuing Hearing

In the matter of Cusimano Construction Corp., 417 Crain Highway, S.E., Glen Burnie, Maryland, Docket No. 13683; order to show cause why there should not be revoked the license for Special Industrial Radio Station KGF-456.

The Hearing Examiner having under consideration the hearing in this proceeding now scheduled for October 7, 1960;

It appearing, that the Hearing Examiner is engaged in an extensive hearing in Docket No. 11757 which will continue to the ensuing weeks and therefore the hearing in this proceeding should be continued to a later date;

Accordingly, it is ordered, This 23d day of September 1960, that the hearing in this proceeding now scheduled for October 7, 1960, be, and the same is hereby continued to November 18, 1960, 10:00 a.m., in the Commission Offices, Washington, D.C.

Released: September 23, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-9072; Filed, Sept. 28, 1960; 8:50 a.m.]

[Docket No. 12676 etc.; FCC 60-1125]

FOUR STATES BROADCASTING CO. ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of: John L. Miller, tr/as The Four States Broadcasting Company, Halfway, Maryland, requests 1410 kc, 1 kw, DA, Day, Docket No. 12676, File No. BP-11227; Dover Broadcasting Company (WDOV), Dover, Delaware, has 1410 kc, 1 kw, Day, requests 1410 kc, 5 kw, Day, Docket No. 12677, File No. BP-11327; Regional Broadcasting Company, Halfway, Maryland, requests 1410 kc, 1 kw, DA, Day, Docket No. 12678, File No. BP-11646; George Fishman, Bruns-

wick, Maryland, requests 1410 kc, 5 kw, DA, Day, Docket No. 12679, File No. BP-12034; Associated Broadcasters, Incorporated (West), Easton, Pennsylvania, has 1400 kc, 250 w, U, requests 1400 kc, 250 w, 1 kw-LS, U, Docket No. 13782, File No. BP-12224; Richard F. Lewis, Jr. Incorporated of Winchester (WINC), Winchester, Virginia, has 1400 kc, 250 w, U, requests 1400 kc, 250 w, 1 kw-LS, U, Docket No. 13783, File No. BP-12265; Belvedere Broadcasting Corporation (WWIN), Baltimore, Maryland, has 1400 kc, 250 w, U, requests 1400 kc, 250 w, 1 kw-LS, U, Docket No. 13784, File No. BP-12311; South Jersey Radio, Inc. (WOND), Pleasantville, New Jersey, has 1400 kc, 250 w, U, requests 1400 kc, 250 w, 1 kw-LS, U, Docket No. 13785, File No. BP-12343.

Narragansett Broadcasting Company (WALE), Fall River, Massachusetts, has 1400 kc, 250 w, U, requests 1400 kc, 250 w, 500 w-LS, U, Docket No. 13786, File No. BP-12371; WGAL, Inc. (WRAK), Williamsport, Pennsylvania, has 1400 kc, 250 w, U, requests 1400 kc, 250 w, 1 kw-LS, U, Docket No. 13787, File No. BP-12414; Pioneer Valley Broadcasting Company (WHMP), Northampton, Massachusetts, has 1400 kc, 250 w, U, requests 1400 kc, 250 w, 1 kw-LS, U, Docket No. 13788, File No. BP-12643; The Western Connecticut Broadcasting Company (WSTC), Stamford, Connecticut, has 1400 kc, 250 w, U, requests 1400 kc, 250 w, 1 kw-LS, U, Docket No. 13789, File No. BP-12709; Kendrick Broadcasting Company, Inc. (WHGB), Harrisburg, Pennsylvania, has 1400 kc, 250 w, U, requests 1400 kc, 250 w, 1 kw-LS, U, Docket No. 13790, File No. BP-13024; Miners Broadcasting Service, Inc. (WLSH), Lansford, Pennsylvania, has 1410 kc, 1 kw, D, requests 1410 kc, 5 kw, DA-D, Docket No. 13791, File No. BP-13060; The Willie Broadcasting Company (WILI), Willimantic, Connecticut, has 1400 kc, 250 w, U, requests 1400 kc, 250 w, 1 kw-LS, U, Docket No. 13792, File No. BP-13124; Scranton Radio Corporation (WICK), Scranton, Pennsylvania, has 1400 kc, 250 w, Day, requests 1400 kc, 250 w, 1 kw-LS, U, Docket No. 13793, File No. BP-13129; Biddeford-Saco Broadcasting Corp. (WIDE), Biddeford, Maine, has 1400 kc, 250 w, U, requests 1400 kc, 250 w, 1 kw-LS, U, Docket No. 13794, File No. BP-13132, for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 20th day of September 1960;

The Commission having under consideration the above-captioned and described applications;

It appearing, that, by Order released November 24, 1958, the Commission designated for hearing in a Consolidated Proceeding, the above captioned applications of John T. Miller, tr/as The Four States Broadcasting Company, Docket Nos. 12676, et al.; that on August 29, 1958, the Belvedere Broadcasting Corporation (BP-12311) filed its above described application and since its proposal involves interlinking interference problems with BPs. 12224, 12265, 12343, 12371, 12414,

12643, 12709, 13024, 13060, 13124, 13129, and 13132; said applications are timely filed pursuant to the provisions of § 1.106(b) of the Commission's rules for consolidation with the applications in Docket Nos. 12676, et al.; and

It further appearing that upon the basis of the information before us, each of the instant applicants in the applications entitled to consolidation in the proceeding in Docket Nos. 12676, et al., is legally, technically, financially, and otherwise qualified to construct and operate its instant proposal; and

It further appearing that pursuant to section 309(b) of the Communications Act of 1934, as amended, the Commission, in a letter dated February 18, 1960, and incorporated herein by reference, notified those applicants whose applications are being consolidated in the proceeding in Docket Nos. 12676, et al., and any other known parties in interest, of the grounds and reasons for the Commission's inability to make a finding that a grant of any one of said applications would serve the public interest, convenience, and necessity; that the said applications are entitled to consolidation in the hearing proceeding in Docket Nos. 12676, et al.; and that a copy of the aforementioned letter is available for public inspection at the Commission's offices; and

It further appearing that the said applicants filed timely replies to the aforementioned letter, which replies have not, however, entirely eliminated the grounds and reasons precluding a grant of the said applications and requiring an evidentiary hearing on the particular issues as hereinafter specified; and in which the applicants stated that they would appear at a hearing on the instant applications; and

It further appearing that by letter received July 14, 1959, Rossmoyne Corporation, licensee of Station WCMB, Harrisburg, Pennsylvania, submitted measurement data which tends to indicate that the antennas of the existing operations of Stations WHGB, Harrisburg, Pennsylvania (applicant in BP-13024, herein) and WKBO, Harrisburg, Pennsylvania (applicant in BP-12215, Docket No. 13099), interact in such a manner as to produce serious distortion of the nominally omnidirectional radiation characteristics of each and contending that if these stations are permitted to increase power to one kilowatt with roof-top antennas, they will further aggravate the already serious problem of cross-modulation received by it; that said stations presently "attempt to sell the idea that they are louder" than WCMB because "the business district of Harrisburg is in their blanket areas"; that if WHGB and WKBO are permitted to increase power, utilizing their roof-top antennas, the economic injury and interference to WCMB will be greater than at present; that in view thereof, WCMB desires an opportunity to show that the public interest will not be served by a grant of the WHGB application, and that §§ 3188(d) and 3.28(c) of the Commission's Rules should not be waived because it would adversely affect the public interest and WCMB; and

It further appearing that the matter complained of by WCMB with respect to the proposed operation of WHGB can be properly disposed of by placing a condition in any construction permit granted to WHGB, that the permittee shall be responsible for the installation and adjustment of necessary equipment to prevent adverse effects on WCMB due to cross-modulation or signal reradiation; that WHGB shall cooperate with WKBO, and any other existing stations, in eliminating the aforementioned interference problems; that the above said condition is included in the instant Order, *infra*; that WCMB has alleged sufficient facts with respect to economic injury to warrant its being made a party to the hearing on the WHGB application; and that, accordingly, WCMB's request that it be made a party to the hearing ordered below, is granted; and

It further appearing that applicant in BP-12188 (WJET), Erie, Pennsylvania, was inadvertently included in the 309(b) letter dated February 18, 1960; that interference problems pointed out therein associate the WJET proposal only with applications BP-13285 (WBNY), Buffalo, New York and BP-13300 (WDOE), Dunkirk, New York, neither of which were timely filed to be considered herein; and that the WJET proposal is therefore not considered herein; and

It further appearing that after consideration of the foregoing and the applicants' replies, the Commission is still unable to make the statutory finding that a grant of the applications in BPs. 12311, 12224, 12265, 12343, 12371, 12414, 12643, 12709, 13024, 13060, 13124, 13129 and 13132 would serve the public interest, convenience, and necessity; and is of the opinion that said applications must be designated for hearing in a consolidated proceeding with the applications in Docket Nos. 12676, et al., on the issues specified below;

It is ordered, That, pursuant to section 309(b) of the Communications Act of 1934, as amended, the thirteen applications mentioned above are consolidated for hearing in the proceeding with the applications in Docket Nos. 12676, et al., at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which would receive new primary service from each of the instant proposals for a broadcast station, and the availability of other primary service to such areas and populations.

2. To determine the areas and populations which may be expected to gain or lose primary service from each of the instant proposals for a change in the facilities of an existing broadcast station and the availability of other primary service to such areas and populations.

3. To determine whether the following proposals would involve objectionable interference with the existing stations indicated below, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

Proposals and Existing Stations

BP-12224	WLSH, Lansford, Pa. WAWZ, Zarephath, N.J. WOND, Pleasantville, N.J. WHGB, Harrisburg, Pa. WSTC, Stamford, Conn. WICK, Scranton, Pa.
BP-12265	WJAC, Johnstown, Pa.
BP-12311	WOND, Pleasantville, N.J. WINC, Winchester, Va. WHGB, Harrisburg, Pa. WLOW, Portsmouth, Va. WDOV, Dover, Del. WEAM, Arlington, Va.
BP-12343	WWIN, Baltimore, Md. WALE, Fall River, Mass. WLOW, Portsmouth, Va. WSTC, Stamford, Conn. WEST, Easton, Pa.
BP-12371	WILI, Willimantic, Conn. WPLM, Plymouth, Mass.
BP-12414	WARC, Milton, Pa. WICK, Scranton, Pa. WHGB, Harrisburg, Pa.
BP-12643	WILI, Willimantic, Conn.
BP-12709	WRIV, Riverhead, N.Y. WOND, Pleasantville, N.J. WEST, Easton, Pa.
BP-13024	WLAN, Lancaster, Pa. WRAC, Williamsport, Pa. WEST, Easton, Pa. WWIN, Baltimore, Md.
BP-13124	WHMP, Northampton, Mass. WALE, Fall River, Mass. WPOP, Hartford, Conn. WSTC, Stamford, Conn.
BP-13129	WEST, Easton, Pa. WLSH, Lansford, Pa. WRAC, Williamsport, Pa.
BP-13132	WRDO, Augusta, Maine WALE, Fall River, Mass. WLLH, Lowell-Lawrence, Mass. WPLM, Plymouth, Mass.
BP-11327	WLSH, Lansford, Pa.
BP-12034	WLSH, Lansford, Pa.

4. To determine the nature and extent of the interference, if any, that each of the instant proposals would cause to and receive from each other and all other existing standard broadcast stations, the areas and populations affected thereby, and the availability of other primary service to the areas and populations affected by interference from any of the instant proposals.

5. To determine whether the interference received by each instant proposal from any of the other proposals herein and any existing stations would affect more than ten percent of the population within its normally protected primary service area in contravention of § 3.28 (c) (3) of the Commission rules, and, if so, whether circumstances exist which would warrant a waiver of said Section.

6. To determine whether, in regard to the Miller-Weinberg business relationship, the application of Four States Broadcasting Company fully disclosed the information called for by sec. II, page 4, Table II of Commission Form 301, and, if the finding be in the negative, what information was not set forth and the reasons therefor.

7. To determine the nature and degree of relationship, including business relationship, which exists between John L. Miller and Dan Weinberg, and whether the application of John L. Miller, tr/as The Four States Broadcasting Company, was filed in good faith or was filed solely or in part to improve the competitive position of Dan Weinberg in any proceeding before this Commission.

8. To determine whether the stations proposed by John L. Miller at Halfway, Maryland, and Dan Weinberg, in partnership with John J. Keel, at Middletown, Maryland, will be under common control within the contemplation of § 3.35 of the Commission's rules, and, if so, whether a grant of Miller's application would be in contravention of § 3.35 of the Commission's rules.

9. To determine whether John L. Miller, tr/as The Four States Broadcasting Company, is financially qualified to construct his proposed station and operate it for a reasonable time.

10. To determine whether the antenna specified by the Kendrick Broadcasting Company, Inc. (BP-13024) is in contravention of the provisions of § 3.188(d) of the Commission's rules concerning rooftop installations and, if so, whether circumstances exist which would warrant a waiver of said section.

11. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the instant proposals would best provide a fair, efficient and equitable distribution of radio service.

12. To determine, on a comparative basis, in the event that, pursuant to the foregoing issue, Halfway, Maryland, is considered to have the greater need for a new standard broadcast station, which of the proposals of The Four States Broadcasting Company and the Regional Broadcasting Company would better serve the public interest, convenience, and necessity in the light of the evidence adduced under the issues herein and the record made with respect to the significant differences between the two as to:

a. The background and experience having a bearing on the applicant's ability to own and operate the proposed standard broadcast station.

b. The proposal of each with respect to the management and operation of the proposed station.

c. The programming services proposed in each of the said applications.

13. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if any, of the instant applications should be granted.

It is further ordered, That, the following licensees of the Stations indicated are made parties to the proceeding:

Pillar of Fire, WAWZ, Zarephath, N.J.
WJAC, Inc., WJAC, Johnstown, Pa.
James Broadcasting Corp., WLOW, Portsmouth, Va.
Arlington-Fairfax Broadcasting Co., Inc., WEAM, Arlington, Va.
Plymouth Rock Broadcasting Co., Inc., WPLM, Plymouth, Mass.
Williamsport Radio Broadcasting Associates, Inc., WARC, Milton, Pa.
Suffolk Broadcasting Corp., WRIV, Riverhead, N.Y.
Peoples Broadcasting Co., WLAN, Lancaster, Pa.
Tcle-Broadcasters of Conn., Inc., WPOP, Hartford, Conn.
WRDO, Inc., WRDO, Augusta, Maine.
Merrimac Broadcasting Co., Inc., WLLH, Lowell-Lawrence, Mass.

It is further ordered, That, the following licensees which are applicants in the instant proceedings are made parties

thereto with respect to their existing operation:

Dover Broadcasting Co. (WDOV).
Miners Broadcasting Service Inc. (WLSH).
South Jersey Radio, Inc. (WOND).
Kendrick Broadcasting Co., Inc. (WHGB).
The Western Connecticut Broadcasting Co. (WSTC).
Scranton Radio Corp. (WICK).
Richard F. Lewis, Jr., Inc., of Winchester (WINC).
Belvedere Broadcasting Corp. (WWIN).
Narragansett Broadcasting Co. (WALE).
The Willie Broadcasting Co. (WILI).
WGAL, Inc. (WRAC).
Pioneer Valley Broadcasting Co. (WHMP).
Associated Broadcasters, Inc. (WEST).

It is further ordered, That the Ross-moyne Corporation, licensee of Station WCMB, Harrisburg, Pennsylvania, is made a party to the instant proceeding with respect to the application of the Kendrick Broadcasting Company, Inc.

It is further ordered, That, in the event of a grant of the application of the Kendrick Broadcasting Company, Inc., the construction permit shall contain a condition that permittee shall be responsible for the installation and adjustment of necessary equipment to prevent adverse effects on Station WCMB, Harrisburg, Pennsylvania, due to cross-modulation and/or signal reradiation and that permittee will further cooperate with Station WKBO, Harrisburg, Pennsylvania, or any other existing broadcast station concerned in eliminating the aforementioned interference problems.

It is further ordered, That, in the event of favorable action on the application of the Dover Broadcasting Company, a grant of said application shall be upon condition that the permittee shall submit proof that the radiation of Station WDOV has been reduced to substantially 175 millivolts per meter per kilowatt as proposed.

It is further ordered, That, this Order supersedes the Four States Broadcasting Company Hearing Order, Docket Nos. 12676, et al, of November 24, 1958, and the Memorandum Opinion and Order of May 14, 1959 (FCC-59-439), concerning the enlargement of the issues in the above said proceeding, with respect to issues only.

It is further ordered, That, to avail themselves of the opportunity to be heard, those applicants and parties respondent, being consolidated in the proceeding in Docket Nos. 12676, et al, only, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

It is further ordered, That, the issues in the above-captioned proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set

forth in the application will be effectuated.

Released: September 26, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[P.R. Doc. 60-9073; Filed, Sept. 28, 1960;
8:50 a.m.]

[Docket No. 13410; FCC 60M-1609]

IDAHO MICROWAVE, INC.

Order Continuing Hearing Conference

In re applications of Idaho Microwave, Inc., Docket No. 13410; for construction permit for new fixed radio station at Kimport Peak, Idaho (KPL 24), File No. 2672-C1-P-58; for construction permit for new fixed radio station at Rock Creek, Idaho (KPL 25), File No. 2673-C1-P-58; for construction permit for new fixed radio station at Jerome, Idaho (KPL 26), File No. 2674-C1-P-58.

The Hearing Examiner having under consideration a "Motion for Continuance" of a prehearing conference in the above-entitled matter now scheduled for September 26, 1960, and

It appearing that the Motion was filed September 22, 1960, by The KLIX Corporation, protestant herein, and

It further appearing that the continuance requested is to October 4, 1960, and that good cause has been shown therefor, and

It further appearing that all other counsel agreed to the granting of the Motion for immediate consideration thereof,

It is ordered, This 23d day of September 1960, that the aforesaid Motion is granted and that the prehearing conference now scheduled for September 26, 1960, shall, accordingly, be continued to 10:00 a.m., October 4, 1960, in the Commission's offices in Washington, D.C.

Released: September 26, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[P.R. Doc. 60-9074; Filed, Sept. 28, 1960;
8:50 a.m.]

[Docket Nos. 13808-13811; FCC 60-1132]

J. R. KARBAN

Memorandum Opinion and Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of J. R. Karban, Rhinelander, Wisconsin, Docket No. 13808, File No. BMTT-137; Docket No. 13809, File No. BMTT-138; for modification of construction permits to change effective radiated power, transmitter site, transmission line and antenna system; J. R. Karban, Rhinelander, Wisconsin, Docket No. 13810, File No. BPTT-460; Docket No. 13811, File No. BPTT-461; for construction permits for new television broadcast translator stations.

1. The Commission has before it for consideration a "Protest and Petition for Reconsideration", filed on August 26,

1960, by Rhinelander Television Cable Company, operator of a community antenna system in Rhinelander, Wisconsin, pursuant to sections 309(c) and 405 of the Communications Act of 1934, as amended, directed against the Commission's action of July 27, 1960, granting the above-captioned applications of J. R. Karban for authority to relocate two existing television translator stations and to construct two new television translator stations at a common site near Rhinelander, Wisconsin. No opposition to the protest was filed by J. R. Karban.

2. On January 27, 1960, J. R. Karban was granted two construction permits (BPTT-417, BPTT-418) for two new television translator stations to serve Rhinelander, Wisconsin from a site located approximately three miles east of the community. On March 28, 1960, Karban filed applications (BMTT-137, BMTT-138) to modify his construction permits for television translator stations, to specify a new location approximately $\frac{3}{4}$ of a mile south of Rhinelander, Wisconsin. On April 25, 1960, Karban filed applications (BPTT-460, BPTT-461) for two additional television translators to be located at the same site. On April 26, 1960, protestant filed a "Petition to Designate Applications for Hearing" against the modification applications, and on May 9, 1960, enlarged its petition to include the applications for new translator stations. The petition was denied on the same date the subject applications were granted.

3. Protestant claims standing by virtue of sections 309(c) and 405 of the Communications Act of 1934, as amended, as a community antenna television system presently serving Rhinelander, Wisconsin. Protestant justifies its claim to standing by alleging that grants of the subject applications will have an adverse economic impact on its existing service, in that Karban's facilities will be in direct economic competition with the service of protestant for subscribers in the Rhinelander area, and Karban's facilities will cause electrical interference to protestant's service and will effectively preclude protestant from delivering an acceptable television signal to its subscribers. Finally, protestant claims standing to petition for reconsideration, pursuant to section 405 of the Act, of the Commission's action denying its petition against the subject applications.

4. The Commission has held that the owner and operator of a community antenna television system which will be in competition for listening and viewing audience with proposed television translator stations in the same community and which allegedly will suffer economic injury, is a "party in interest". Palm Springs Translator Station, Inc., 15 Pike and Fischer RR70 (1957). In view of the protestant's status as a community antenna television system and its allegations of injury resulting from economic competition set forth above, we find the protestant to be a "party in interest" within the meaning of section 309(c) of the Communications Act of 1934, as amended, and a "person aggrieved or whose interests are adversely affected" within the meaning of section 405 of said Act. Federal Communications Commis-

sion v. Sanders Brothers Radio Station, 309 U.S. 470.

5. Protestant alleges, in essence, that construction and operation of the proposed translators at the site authorized will cause destructive electrical interference to the direct reception of television signals by protestant's antenna, such interference resulting from (a) receiving antenna radiation, (b) radiation from on-channel amplifiers, and (c) radiation from translator frequency multipliers. Protestant states that it is willing to withdraw its protest if the subject translators are relocated at a site from which no electrical interference will be caused to protestant's community antenna system, or if the Commission will incorporate into the subject authorizations such engineering safeguards as will provide protection against electrical interference. In addition to the matter of interference, protestant raises a question with respect to J. R. Karban's character qualifications, alleging that the language of a newspaper advertisement by Karban attempts to threaten, intimidate and coerce the public into subscribing to the proposed translator service; that, pursuant to an agreement between J. R. Karban and local television repairmen, persons who purchase a UHF converter from anyone other than Karban will be denied repair or maintenance service to their converters or television sets; that, on information and belief, J. R. Karban has also entered into a similar contract with local television sales personnel prohibiting the sale of UHF television receivers to potential "freeloaders" on the translator system; that said newspaper advertisement is prima facie evidence of the existence of an agreement between J. R. Karban and local television sales and service operatives which is unduly restrictive of competitive opportunity or commercial freedom and which manifests an intent to monopolize in violation of sections 1 and 2 of the Sherman Act. (15 USC sections 1 and 2.)

6. On the basis of the allegations made in support of the contentions set forth above, protestant asserts that the Commission erred in granting the above-captioned applications and that a grant of such applications is not in the public interest. Therefore, the protestant requests that the Commission reconsider its actions and set aside the grants. The protestant further requests that if the Commission does not set aside the subject applications, that it designate the subject applications for hearing on nine proposed issues, with the effectiveness of the subject grants stayed pending the Commission's decision after hearing. The following issues are proposed by protestant:

(1) To determine the extent of electrical interference which applicant's proposed modification, and new construction would cause to the facilities of Rhinelander Television Cable Company at Rhinelander, Wisconsin.

(2) To determine the economic impact such electrical interference would have on the operation of Rhinelander Television Cable Company.

(3) To determine the impact such electrical interference would have on the viewing public of Rhinelander, Wisconsin.

(4) To determine the necessity for applicant's facility to be constructed at the proposed location.

(5) To determine whether the applicant has concealed from the Commission in the protested applications or other applications, matters concerning its proposed financing arrangements, in view of the apparent subscription nature of his proposal, which was not contained in his applications.

(6) To determine whether the applicant is attempting to circumvent the Commission's policy with respect to "Pay Television".

(7) To determine whether there exists a prima facie case, on the basis of applicant's advertising policy, of violation of sections 1 and 2 of the Sherman Act.

(8) To determine the basic character qualifications of the applicant to be a licensee of the Commission.

(9) To determine, in light of the evidence introduced on the foregoing issues, whether a grant of the applicant's applications would be in the public interest, convenience and necessity.

7. The first issue specified is designed to elicit information concerning the extent of electrical interference which may be caused to protestant's community antenna facilities. The protestant alleges interference of two general types, one to his "system frequency," i.e., closed circuit operation, and the other to the direct reception of television signals intended to be used by it. The protestant may not claim protection against interference to his system frequency operation under the Commission's rules. The Commission's rules do provide that it is the responsibility of a translator licensee to correct any condition of interference to direct reception of a television signal which results from the radiation of radio frequency energy by its equipment on any frequency outside of the assigned channel. Therefore, the "extent" of interference which may be caused to protestant is not of consequence. Should electrical interference in fact result from operation of the proposed translators, the Commission's rules will determine whether such interference, by its nature, shall be corrected by the translator licensee. Accordingly, we are not designating proposed issue 1 for hearing.

8. Proposed issues 2 and 3 are irrelevant, since there are no allegations of fact in support of the proposed issues. As we have pointed out in paragraph 7 above, electrical interference of certain types must be corrected by the translator licensee. Other types of interference must be corrected by the community antenna system, and protestant has not shown that it would be unable to correct such interference on its own initiative. Therefore, since no useful purpose would be served in attempting to determine the impact of electrical interference on the operation of protestant or on the viewing public in Rhinelander, we are not designating proposed issues 2 and 3 for hearing.

9. Proposed issue 4 is likewise irrelevant, since protestant has failed to make such factual allegations to warrant the

inclusion of such issue. And, in any case, the Commission's function is to pass on those proposals before it rather than to conjecture about possible alternatives. We do not consider that questions regarding the availability of other possible transmitter sites are relevant in deciding whether we erred in granting an application for a particular transmitter site. Alvarado Television Co., Inc. (KVOA-TV), (FCC 60-91). Accordingly, we are not designating proposed issue 4 for hearing.

10. Proposed issue 5 goes to the financial representations made by J. R. Karban in connection with his applications for authority to construct the subject translator stations. Protestant has failed to allege facts which would raise a question as to such financial representations. The applications by J. R. Karban contained such information as was necessary for the Commission to determine the applicant's financial qualifications, including the matter of financing the venture by public subscription, and, by acting on such applications, the Commission determined that J. R. Karban's financial proposals were proper and adequate. Since protestant has failed to allege facts to support the requested issue, we are not designating proposed issue 5 for hearing.

11. Proposed issue 6 is irrelevant and frivolous. The operation of a television translator station, the broadcasts of which are available to the public at large, is entirely different from "pay television" which envisages the restriction of such broadcasts to subscribers only by the use of encoding and decoding devices. Protestant does not allege that there is any such similarity between the subject translator operations and pay television systems. Accordingly, we are not designating proposed issue 6 for hearing.

12. Proposed issue 8 is by its nature encompassed, as pleaded, by issue 2 of this Hearing Order, and, for this reason, we are not designating proposed issue 8 for hearing.

13. We have determined that there is no need to designate issues 1 through 6 and issue 8 for evidentiary hearing. In view of the newspaper advertisement by Karban, referred to in paragraph 5, supra, from which the protestant infers the existence of an agreement between Karban and the television repairmen in Rhinelander, denying repair or maintenance service to those persons not subscribing to the proposed translator projects and the protestant's allegation, on information and belief, that there is a similar agreement between Karban and television retail outlets in the Rhinelander area prohibiting sale of television receivers or converters to those persons who do not subscribe to Karban's translator system, we think an issue as to whether such agreements are in existence and, if so, the nature thereof, would be warranted. Accordingly, the above-captioned applications will be designated for an evidentiary hearing on an issue encompassing the subject matter of the protestant's proposed issue 7. However, in view of the paucity of the factual allegations, we are not adopting

said issue, and the burden of proof thereon, both in proving the facts alleged and in demonstrating their materiality and relevancy, will be on the protestant.

14. There remains for our consideration the question whether the proposed grants should remain in effect. Section 309(c) of the Communications Act of 1934, as amended, provides that pending hearing and decision, the effective date of the Commission's action shall be postponed, " * * * unless the authorization involved is necessary to the maintenance or conduct of an existing service, or unless the Commission affirmatively finds for reasons set forth in the decision that the public interest requires that the grant remain in effect, in which event the Commission shall authorize the applicant to utilize the facilities or authorization in question pending the Commission's decision after hearing."

It is clear that it is the intent of this portion of our Act that a protested grant be stayed unless there is an exceptional situation which concerns the public interest. We believe that the above-captioned application presents such an exceptional situation. Rhinelander, Wisconsin, at the present time has no television broadcast facilities. Protestant's community antenna television system affords the only television service to Rhinelander, and this service, which is not a broadcast service, is restricted to the city of Rhinelander alone, and is not available to residents in outlying areas of the community. The subject television translator service would afford the first television broadcast services available to the general public, both within the city limits and in surrounding areas, of Rhinelander. We believe that the opportunity to provide a first television broadcast service to the Rhinelander area justifies us in finding that the public interest requires that said grants should remain in effect pending the Commission's decision after hearing. Accordingly, a stay of the Commission's grants will not be ordered in this case.

15. In the light of the above: *It is ordered*, That the protest and petition for reconsideration filed herein are granted to the extent provided for below and are denied in all other respects; and that pursuant to section 309(c) of the Communications Act of 1934, as amended, the above-captioned applications are designated for evidentiary hearing on the following issues:

(1) To determine whether there are agreements, and, if so, the nature thereof, between J. R. Karban and television repair and retail outlets in the Rhinelander, Wisconsin area, prohibiting sale or repair of UHF television receivers or converters to persons who do not subscribe to the television translator system to be operated by J. R. Karban.

(2) To determine whether, in the light of evidence adduced under the foregoing issue, the Commission should sustain the protest and set aside the grant of the above-captioned applications.

It is further ordered, That the burden of proceeding with the introduction of

evidence and the burden of proof shall be on the protestant.

It is further ordered. That the protestant Rhinelander Television Cable Company, is hereby made a party to the above-captioned proceedings and that:

(a) The hearing on the above issues shall commence at a time and place and before an Examiner to be specified in a subsequent order;

(b) The parties to the proceedings herein shall have fifteen (15) days after the issuance of the Examiner's decision to file exceptions thereto and seven (7) days thereafter to file replies to any such exceptions; and

(c) The appearance by the parties intending to participate in the above hearing shall be filed not later than October 4, 1960.

Adopted: September 20, 1960.

Released: September 26, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-9075; Filed, Sept. 28, 1960;
8:50 a.m.]

[Docket Nos. 13805-13807; FCC 60-1130]

KOMY, INC., ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of KOMY, Inc., Watsonville, California, req.: 106.5 Mc, No. 293; 3.145 kw; 92.5 ft., Docket No. 13805, File No. BPH-2942; G. Stuart Nixon, San Jose, California, req.: 106.5 Mc, No. 293; 18 kw; 272 ft., Docket No. 13806, File No. BPH-2961; Franklin Mieuli (KHIP), San Francisco, California, has 106.9 Mc, No. 295; 40 kw; 1140 ft., req.: 106.9 Mc, No. 295; 80 kw; 1140 ft., Docket No. 13807, File No. BPH-3075; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 20th day of September 1960;

The Commission having under consideration the above-captioned and described applications;

It appearing that except as indicated by the issues specified below, each of the instant applicants is legally, technically, financially and otherwise qualified, except that G. Stuart Nixon may not be financially qualified, to construct and operate its instant proposal; and

It further appearing that pursuant to section 309(b) of the Communications Act of 1934, as amended, the Commission, by letters dated June 17, 1960, and July 27, 1960, and incorporated herein by reference, notified the instant applicants, and any other known parties in interest, of the grounds and reasons for the Commission's inability to make a finding that a grant of any of the applications would serve the public interest, convenience, and necessity; and that copies of the aforementioned letters are available for public inspection at the Commission's offices; and

It further appearing that the instant applicants filed timely replies to the aforementioned letters, which replies have not, however, entirely eliminated the grounds and reasons precluding a grant and requiring an evidentiary hearing on the particular issues as herein-after specified; and

It further appearing that the Commission raised a question concerning finances of G. Stuart Nixon, but that the additional financial information received in response to the Commission's letter of June 17, 1960, does not appear to show the reason for the substantial increase in Mr. Nixon's net worth from January 31, 1960, to July 1, 1960; and

It further appearing that KOMY, Inc. (BPH-2942), proposes to mount the FM antenna on the existing tower of KOMY (AM), and that, in the event of a grant of this application it should contain the condition hereinafter ordered; and

It further appearing that after consideration of the foregoing and the applicants' replies, the Commission is still unable to make the statutory finding that a grant of the applications would serve the public interest, convenience, and necessity; and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues specified below:

It is ordered. That, pursuant to section 309(b) of the Communications Act of 1934, as amended, the instant applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations within the 1 mv/m contours, the areas and populations therein which would be served by the proposed stations in BPH-2942 and BPH-2961, and the availability of other FM services (at least 1 mv/m) to such proposed service areas.

2. To determine the area and population within the 1 mv/m contour which may be expected to gain or lose service from the proposed operation of BPH-3075 and the availability of other FM broadcast service of at least 1 mv/m to such area and population.

3. To determine the nature and extent of the interference, if any that each of the instant proposals would cause to and receive from each other and all other existing FM broadcast stations, the areas and populations affected thereby, and the availability of other FM service to the areas and populations affected by interference from any of the instant proposals.

4. To determine whether the instant proposal of BPH-2961 would involve objectionable interference with Station KFRC-FM, San Francisco, California, or any other existing FM broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other FM service of at least 1 mv/m to such areas and populations.

5. To determine whether the instant proposal of BPH-3075 would involve objectionable interference with Station KSTN-FM, Stockton, California, or any other existing FM broadcast stations, and, if so, the nature and extent thereof,

the areas and populations affected thereby, and the availability of other FM service of at least 1 mv/m to such areas and populations.

6. To determine whether G. Stuart Nixon is financially qualified to construct and operate his proposed station.

7. To determine whether considerations with respect to section 307(b) of the Communications Act of 1934, as amended, are applicable to the instant proceeding, and, if so, whether a choice between the applicants herein can be reasonably based thereon, and, if so, whether a grant to one or another of the applicants would provide the most fair, efficient and equitable distribution of radio service.

8. To determine in the event it is concluded that a choice between the instant applicants cannot be made on considerations relating to section 307(b), which of the operations proposed in the above-captioned applications would best serve the public interest in the light of the evidence adduced pursuant to the foregoing issues and the record made with respect to the significant differences between the applicants as to:

a. The background and experience of each having a bearing on the applicant's ability to own and operate the proposed station.

b. The proposals of each of the instant applicants with respect to the management and operation of the proposed station.

c. The programming service proposed in each of the instant applications.

9. To determine, in the light of the evidence adduced, pursuant to the foregoing issues, which, if any, of the instant applications should be granted.

It is further ordered. That RKO General, Inc., licensee of Station KFRC-FM, San Francisco, California, and Valley Broadcasters, Inc., licensee of Station KSTN-FM, Stockton, California, are made parties to the proceeding.

It is further ordered. That in the event of a grant of the application of KOMY, Inc., the construction permit shall contain a condition that KOMY receive permission from the Commission to determine power of KOMY by the indirect method during installation of the FM antenna and checking resistance of the tower after the installation has been completed; and that prior to authorization of program tests resistance measurements and Forms 302 must be submitted for KOMY.

It is further ordered. That to avail themselves of the opportunity to be heard, the applicants and parties respondent herein, pursuant to § 1.140 of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered. That the issues in the above-captioned proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of facts in support

thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: September 26, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-9076; Filed, Sept. 28, 1960;
8:50 a.m.]

[Docket Nos. 13796-13803; FCC 60-1128]

WESTERN BROADCASTING CO. ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of David P. Pinkston and Leroy Elmore, d/b as Western Broadcasting Company, Odessa, Texas, req: 1550 kc, 50 kw, Day, Docket No. 13796, File No. BP-12329; W. J. Harpole, Canyon, Texas, req: 1550 kc, 1 kw, Day, Docket No. 13797, File No. BP-12335; R. B. Bell and Bernice Bell, d/b as Oklahoma Broadcasting Company, Sapulpa, Oklahoma, req: 1550 kc, 500 w, Day, Docket No. 13798, File No. BP-12403; Ira E. Courtney, tr/as Courtney Broadcasting Co., Winfield, Kansas, req: 1550 kc, 250 w, Day, Docket No. 13799, File No. BP-12407; Lloyd Clinton McKenney, tr/as Winfield Broadcasting Company, Winfield, Kansas, req: 1550 kc, 250 w, U, Docket No. 13800, File No. BP-12756; William E. Minshall and Melwyn E. Klar, d/b as Sapulpa Broadcasters, Sapulpa, Oklahoma, req: 1550 kc, 250 w, DA-Day, Docket No. 13801, File No. BP-12876; The Seward County Broadcasting Company, Inc., Dodge City, Kansas, req: 1550 kc, 1 kw, DA-Day, Docket No. 13802, File No. BP-13039; R. L. McAlister, Odessa, Texas, req: 1550 kc, 5 kw, Day, Docket No. 13803, File No. BP-13058; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 20th day of September 1960;

The Commission having under consideration the above-captioned and described applications;

It further appearing that on the basis of the information before us, each of the applicants herein, is legally, technically, financially and otherwise qualified to construct and operate its instant proposal; with the exception that Ira E. Courtney may not be financially qualified; and

It further appearing that pursuant to section 309(b) of the Communications Act of 1934, as amended, the Commission, in a letter dated December 16, 1959, and incorporated herein by reference, notified the instant applicants, and any other known parties in interest, of the grounds and reasons for the Commission's inability to make a finding that a grant of any one of the applications would serve the public interest, convenience, and necessity; and that a copy of the aforementioned letter is available

for public inspection at the Commission's offices; and

It further appearing that the instant applicants filed timely replies to the aforementioned letter, which replies have not, however, entirely eliminated the grounds and reasons precluding a grant of the said applications and requiring an evidentiary hearing on the particular issues hereinafter specified; and

It further appearing that in response to the Commission's letter of December 16, 1959, The Seward Broadcasting Company, Inc., applicant in BP-13039 submitted an Engineering Affidavit on January 5, 1960, which states, in substance, that field intensity measurements on file with the Federal Communications Commission in File No. BR-389, on Radio Station KGNC, Amarillo, Texas, indicate that the average ground conductivity between the proposed operations of BPs. 13039 and 12335 is less than 30 mmhos/m shown on Figure M-3 of the Commission rules, and that on the basis of the ground conductivity indicated, there would appear to be no objectionable interference between said proposals; that on June 17, 1960, Seward submitted measurement data on three bearings from KGNO, Dodge City, Kansas, toward the proposed operation of BP-12335 which indicates that the effective conductivity over these paths is in the order 15 mmhos/m; that in addition, there was submitted measurement data on four bearings (5°, 22°, 28°, 30°) from KGNC, Amarillo, Texas, located 37 miles NNE of BP-12335; that the radial 28° from KGNC, on a line between the Canyon, Texas site (BP-12335) and that of BP-13039, indicates that the conductivity between said proposals is less than that shown by Figure M-3 of the Commission rules; and that in view of the foregoing, it appears that BP-13039 will receive from, but will not cause interference to BP-12335; and

It further appearing that the Commission's letter of December 16, 1959, advised Ira E. Courtney, applicant in BP-12407, that an analysis of the information submitted did not appear to indicate sufficient available funds to meet the cost of construction and initial operation of the proposed station; that in response to said letter, the applicant stated that it is believed that his amendment tendered on December 15, 1959, would "further strengthen" his financial ability; but that the applicant's balance sheet does not show cash or liquid assets over and above those needed to meet current expenditures and that the balance sheet of L. N. Bailey, who has agreed to lend the applicant \$20,000, does not include cash or liquid assets in this amount nor has a definite showing been made that Mr. Bailey has \$20,000 available; and

It further appearing that by letter dated December 30, 1959, in reply to the Commission's letter of December 16, 1959, the Courtney Broadcasting Co., applicant in BP-12407, stated that insofar as existing stations are concerned, there is no violation of § 3.28(c) of the Commission's rules, but that in the event it is found that a violation of said rules should occur, then it is requested that the Commission waive the requirements of said

rule, since the instant proposal would provide a first service to Winfield, Kansas; that, however, it appears that the interference received from existing and proposed operations places the instant proposal in contravention of § 3.28(c) of the rules and since applicant proposes a daytime operation only, said proposal does not fall within the purview of the exceptions to § 3.28(c) of the rules, and accordingly, an issue with respect to said section is included herein; and

It further appearing that the transmitter sites proposed by Oklahoma Broadcasting Company (BP-12403) and Sapulpa Broadcasters (BP-12876) are near the site specified by Sapulpa Broadcasting Corporation (File No. BP-12595) requesting operation on 1220 kc, in Sapulpa, Oklahoma and designated for hearing on January 1, 1960; that in the event of a grant of either BP-12403 or BP-12876 as well as the application of Sapulpa Broadcasting Corporation (BP-12595), problems of cross-modulation and reradiation may occur and that accordingly, an appropriate condition should be included in any construction permit issued to BP-12403 or BP-12876; and

It further appearing that the transmitter site proposed by the Winfield Broadcasting Company, BP-12756, is near the site proposed by James R. Williams (File No. BP-12826), requesting operation on 1210kc, in Winfield, Kansas and presently in the Commission's pending files; that, in the event of a grant of the applications of both the Winfield Broadcasting Company and James R. Williams, problems of cross-modulation and reradiation may occur and that, therefore, an appropriate condition should be included in any construction permit granted to the Winfield Broadcasting Company; and

It further appearing that by letter dated December 16, 1959, Station KOLS, Pryor, Oklahoma was notified that it would receive interference from the proposals of Oklahoma Broadcasting Co. (BP-12403) and Sapulpa Broadcasters (BP-12876); but that by amendment received May 6, 1960, Sapulpa Broadcasters changed its proposal to specify a directional antenna, thus eliminating the possibility of interference from BP-12876 to KOLS; and

It further appearing that by letter dated February 5, 1960, Oral Roberts Evangelistic Association, Inc., applicant in BP-13464, Tulsa, Oklahoma, requests that the Commission's "cut-off" rules not be applied, or in the alternative waived, with respect to its application since said rules are arbitrary and unreasonable and deprives applicant of comparative consideration with the application of Sapulpa Broadcasters, File No. BP-12876; that said rules preclude such consideration because of a chain of interlinking applications of which Oral Roberts could not have been aware unless he examined all applications as they were filed; that an opposition to the above request was filed by Sapulpa Broadcasters on February 17, 1960; and

It further appearing that since the Oral Roberts application was not timely filed with the Sapulpa Broadcasters ap-

plication, BP-12876, which retained a May 15, 1959 cut-off date, it is not entitled to comparative consideration therewith; that the Commission's views concerning the interpretation and legal validity of the cut-off rules have been thoroughly discussed in its Opinion and Order, with respect to the Fredericksburg Broadcasting Corporation, et al, 19 Pike & Fischer RR 900; that since the contentions set forth by Roberts are in substance, the same as those considered in the Fredericksburg case, no useful purpose would be served by reiterating the findings contained therein; and that in view of the foregoing, the instant request submitted by Oral Roberts Evangelistic Association, Inc., is hereby denied; and

It further appearing that after consideration of the foregoing and the applicants replies, the Commission is still unable to make the statutory finding that a grant of the applications would serve the public interest, convenience, and necessity; and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues specified below;

It is ordered, That, pursuant to section 309(b) of the Communications Act of 1934, as amended, the instant applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which would receive primary service from each of the instant applicants and the availability of other primary service to such areas and populations.

2. To determine the nature and extent of the interference, if any, that each of the instant proposals would cause to and receive from each other and all other existing standard broadcast stations, the areas and populations affected thereby, and the availability of other primary service to the areas and populations affected by interference from any of the instant proposals.

3. To determine whether the instant proposal of Oklahoma Broadcasting Company (BP-12403) would involve objectionable interference with Station KOLS, Pryor, Oklahoma, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

4. To determine whether the interference received from any of the other proposals herein and any existing stations would affect more than ten percent of the population within the normally protected primary service area of any one of the instant proposals in contravention of § 3.28(c)(3) of the Commission rules, and, if so, whether circumstances exist which would warrant a waiver of said Section.

5. To determine whether the transmitter site proposed by Western Broadcasting Company (BJ-12329) is satisfactory with particular regard to any conditions that may exist in the vicinity of the antenna system which would distort the proposed antenna radiation pattern.

6. To determine whether the antenna system proposed by Oklahoma Broadcasting Company (BP-12403) and Sapulpa Broadcasters (BP-12876) would constitute a hazard to air navigation.

7. To determine whether Ira E. Courtney, tr/as Courtney Broadcasting Co. (BP-12407) is financially qualified to construct and operate his proposed station.

8. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the instant proposals would best provide a fair, efficient and equitable distribution of radio service.

9. To determine on a comparative basis in the event that Odessa, Texas; Sapulpa, Oklahoma; or Winfield, Kansas, is, or are, selected as having the greatest need pursuant to section 307(b) of the Communications Act of 1934, as amended, which of the competing applicants for that city would better serve the public interest in the light of the evidence adduced pursuant to the foregoing issues and the record made with respect to the significant differences between the applicants as to:

a. The background and experience of each having a bearing on the applicant's ability to own and operate the proposed station.

b. The proposals of each of the instant applicants with respect to the management and operation of the proposed station.

c. The programming service proposed in each of the instant applications.

10. To determine, in the light of the evidence adduced, pursuant to the foregoing issues which, if any, of the instant applications should be granted.

It is further ordered, That Lakes Area Broadcasting Company, licensee of Station KOLS, is made a party to the proceeding.

It is further ordered, That, in the event of a grant of the applications of either Oklahoma Broadcasting Company, BP-12403, or Sapulpa Broadcasters, BP-12876, the construction permit shall contain a condition that the permittee cooperate with the Sapulpa Broadcasting Corporation (BP-12595), should its application also be granted, to eliminate any adverse problems of cross-modulation or reradiation that may occur due to the proximity of the two antenna systems.

It is further ordered, That, in the event of a grant of the application of the Winfield Broadcasting Company (BP-12756), the construction permit shall contain a condition that the permittee cooperate with James R. Williams, should his application (BP-12826) also be granted, to eliminate any adverse problems of cross-modulation or reradiation that may occur due to the proximity of the two antenna systems.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants and party respondent herein, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this Order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date

fixed for the hearing and present evidence on the issues specified in this Order.

It is further ordered, That, the issues in the above-captioned proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: September 26, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-9077; Filed, Sept. 28, 1960;
8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-9283 etc.]

ATLANTIC REFINING CO. ET AL.

Order Consolidating Proceedings,
Fixing Date of Hearing, and Pre-
scribing Procedure

SEPTEMBER 23, 1960.

Atlantic Refining Company, Docket Nos. G-9283; G-9284; Atlantic Refining Company, Docket Nos. G-9443, G-11202, G-11247, G-11259, G-11312, G-11365, G-11844, G-12159, G-12461, G-12954, G-13145, G-13440, G-13499, G-13583, G-13919, G-13980, G-14735, G-15233, G-15412, G-16127, G-16518, G-16648, G-16723, G-17121, G-17291, G-17365, G-17741, G-17988, G-18752, G-18913, G-19536, G-19580, G-19659, G-19847, G-19922, G-19923, G-20278, G-20305, RI60-145, RI60-301, RI61-8; Atlantic Refining Company (Operator), et al., Docket Nos., G-13496, G-14035, G-15027, G-15234, G-16647, G-16803, G-18208, G-18565, G-18753, G-19537, G-19658, RI60-218, RI61-9.

The proceedings at Docket Nos. G-9283 and G-9284, identified in the above caption, relate to an investigation instituted by the Commission on its own motion, pursuant to the provisions of the Natural Gas Act, by order issued January 27, 1956, for the purposes of determining whether with respect to any transportation or sale of natural gas, subject to the jurisdiction of the Commission, made or proposed to be made by The Atlantic Refining Company (Atlantic Refining), any of the rates, charges, or classifications demanded, observed, charged or collected, or any rules, regulations, practices or contracts affecting such rates, charges, or classifications are unjust, unreasonable, unduly discriminatory or preferential. That order also provided, inter alia, that a public hearing be held in these proceedings upon a date to be fixed by further order of the Commission.

In each of the other proceedings identified in the above caption, the Commission has heretofore issued its orders sus-

pending proposed increases in rates and charges for sales of natural gas for resale in interstate commerce tendered for filing by either Atlantic Refining on its own behalf or as The Atlantic Refining Company (Operator), et al., and providing for hearing on the lawfulness of the proposed increases in rates and charges.

The Commission finds: It is appropriate and in the public interest in carrying out the provisions of the Natural Gas Act and good cause exists to consolidate all of the above-designated proceedings for purposes of hearing and that hearing be held as hereinafter provided and ordered.

The Commission orders:

(A) The proceedings identified in the above caption of this order hereby are consolidated for purposes of hearing.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Natural Gas Act, particularly sections 4, 5, 14, 15 and 16 thereof, and the Commission's rules of practice and procedure, a public hearing be held in these consolidated proceedings commencing November 15, 1960 at 10:00 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by the proceedings herein consolidated.

(C) At such hearing, the Commission Staff shall present the testimony and exhibits representing its case-in-chief in Dockets Nos. G-9283 and G-9284, to be followed immediately thereafter by the presentation by Atlantic Refining of its testimony and exhibits representing its case-in-chief in all the other dockets identified in the above caption. Thereafter the Presiding Examiner shall fix the time for resumption of the hearing for (a) cross-examination, and (b) rebuttal.

(D) Notices or petitions to intervene may be filed with the Commission in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.37(f)) on or before November 1, 1960. In addition, any party now permitted to intervene in any of the above dockets shall be deemed an intervenor in this consolidated proceeding, subject to the same conditions heretofore stated in the orders permitting the respective interventions.

By the Commission.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 60-9055; Filed, Sept. 28, 1960;
8:47 a.m.]

[Docket Nos. G-20380, CI60-97]

HOPE NATURAL GAS CO. AND COLUMBIAN CARBON CO.

Notice of Change of Date of Hearing

SEPTEMBER 23, 1960.

Hope Natural Gas Company, Docket No. G-20380; Columbian Carbon Company, Docket No. CI60-97.

Take notice that the hearing concerning the matters involved in and the issues presented by the applications in the

above-captioned proceedings, now set for 10:00 a.m., e.d.s.t., on September 27, 1960, in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., is hereby continued, subject to further notice by the Secretary of the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 60-9042; Filed, Sept. 28, 1960;
8:45 a.m.]

[Docket No. G-12153 etc.]

NORTHERN NATURAL GAS CO. AND PERMIAN BASIN PIPELINE CO.

Notice of Postponement of Hearing

SEPTEMBER 22, 1960.

Northern Natural Gas Company, Docket No. G-12153, G-15335; Permian Basin Pipeline Company, Docket No. G-15336.

Upon consideration of the motion filed September 21, 1960, by Counsel for Northern Natural Gas Company and Permian Basin Pipeline Company for postponement of hearing now scheduled for October 11, 1960 in the above-designated matter;

The hearing now scheduled for October 11, 1960 is hereby postponed to October 25, 1960 at 10:00 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 60-9056; Filed, Sept. 28, 1960;
8:47 a.m.]

[Docket No. CP60-126]

PANHANDLE EASTERN PIPE LINE CO.

Notice of Change of Date of Hearing

SEPTEMBER 23, 1960.

Take notice that the hearing concerning the matters involved in and the issues presented by the application in the above-captioned proceeding, now set for 10:00 a.m., e.d.s.t., on October 25, 1960, in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., is hereby continued, subject to further notice by the Secretary of the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 60-9043; Filed, Sept. 28, 1960;
8:45 a.m.]

[Project No. 2278]

PLAINS ELECTRIC GENERATION AND TRANSMISSION COOPERATIVE, INC.

Notice of Application for Preliminary Permit

SEPTEMBER 23, 1960.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Plains Electric Generation and Transmission Cooperative, Inc., of Albuquer-

que, New Mexico, for preliminary permit for proposed water power Project No. 2278, to be located on the Rio Grande and Red River, Taos County, New Mexico, near Cerro and Questa, New Mexico, and affecting lands of the United States. The proposed project would consist of a small retention dam on Rio Grande at the Chiflo damsite creating a small storage dam (water to be pumped from the reservoir to the top of the bluff 350 feet above the river to a canal extending 6.5 miles to the forebay); a small retention dam on Red River creating a small storage reservoir about 4 miles upstream from Rio Grande (water to be pumped to the top of the bluff to a canal extending 3.5 miles to the forebay); a forebay on top the bluff at the junction of Rio Grande and Red River; a powerhouse with an installation of 20,000 kilowatts; a regulating dam below the powerhouse for regulation of water releases; and appurtenant electrical and mechanical equipment.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions to intervene may be filed is November 10, 1960. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 60-9044; Filed, Sept. 28, 1960;
8:45 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[Bureau Order 551, Amdt. 66]

DELEGATION OF AUTHORITY

Order 551, as amended, is further amended as hereinafter indicated:

1. A new section 37 is added under the heading "Functions Relating to Indian Lands and Minerals" to read as follows:

SEC. 37 *Muckleshoot Indian Tribe of the State of Washington; reconveyance.* The authority contained in the Act of April 29, 1960 (Pub. Law 86-447; 74 Stat. 85), which relates to the reconveyance of tribally owned lands by the Muckleshoot Indian Tribe of the State of Washington to the original allottees, their heirs, devisees, or assigns.

2. Subparagraph (6) of paragraph (b) of section 230 is amended to read as follows:

SEC. 230. *Forest Management.* * * *
(b) * * *

(6) Authorize changes in requirements of advance payments for allotted timber, pursuant to 25 CFR 141.16, if the cutting period of the allotment contract exceeds one year.

LEON V. LANGAN,
Acting Commissioner.

[F.R. Doc. 60-9051; Filed, Sept. 28, 1960;
8:46 a.m.]

Bureau of Land Management

[Document 221]

ARIZONA

Notice of Proposed Withdrawal and Reservation of Lands

The U.S. Department of Agriculture has filed an application, Serial No. AR-026592, for the withdrawal of the lands described below from all forms of appropriation, including the location and entry under the general mining laws. The applicant desires the lands for the purpose of protecting the site for public use for school purposes on behalf of the Payson School District No. 10 of Gila County, Arizona.

For a period of thirty (30) days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of Interior, P.O. Box 148, Phoenix, Arizona. If circumstances warrant it, a public hearing will be held at a convenient time and place which will be announced. The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

GILA AND SALT RIVER MERIDIAN

T. 10 N., R. 10 E. (Tonto National Forest),
Sec. 4: NW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The area described totals 60 acres located in the Tonto National Forest.

RAYMOND C. CLEGHORN,
Acting State Supervisor.

SEPTEMBER 23, 1960.

[F.R. Doc. 60-9061; Filed, Sept. 28, 1960;
8:48 a.m.]

[Document 222]

ARIZONA

Notice of Proposed Withdrawal and Reservation of Lands

The Department of Agriculture, U.S. Forest Service, has filed an application, Serial No. AR-010997 Amended, for the withdrawal of lands described below from all forms of appropriation, including location and entry under the general mining laws. The applicant desires the lands for establishment of research and experimental site purposes, administrative site purposes and recreational site purposes in furtherance of the McSweeney-McNary Act (45 Stat. 699, as amended).

For a period of thirty (30) days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of Interior, P.O. Box 148, Phoenix, Arizona. If circumstances warrant it, a public hearing will be held at a convenient time and place which will be announced. The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

GILA AND SALT RIVER MERIDIAN

PINAL MOUNTAIN PLOT

T. 1 S., R. 15 E.,
Sec. 27: NE $\frac{1}{4}$.

160 acres

SUMMIT WATERSHEDS

T. 3 N., R. 14 E.,
Sec. 33: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 2 N., R. 14 E. (unsurveyed),
Sec. 3: SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 4: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$.

320 acres

THREE BAR WATERSHEDS

T. 4 N., R. 10 E. (unsurveyed),
Sec. 2: All;
Sec. 3: All;
Sec. 10: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 11: N $\frac{1}{2}$ NW $\frac{1}{4}$.
T. 5 N., R. 10 E.,
Sec. 34: E $\frac{1}{2}$;
Sec. 35: All;
Sec. 36: SW $\frac{1}{4}$.

2960 acres

CLAY GRAVEL PLOTS

T. 5 N., R. 12 E. (unsurveyed),
Sec. 17: SE $\frac{1}{4}$;
Sec. 28: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$.

240 acres

All of the above lands are located in the Tonto National Forest.

CASTLE CREEK WATERSHEDS

T. 4 N., R. 30 E. (unsurveyed),
Sec. 1: S $\frac{1}{2}$;
Sec. 2: E $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 11: E $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 12: All;
Sec. 13: N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 14: NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 4 N., R. 31 E. (unsurveyed),
Sec. 6: SW $\frac{1}{4}$;
Sec. 7: W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 18: NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$.

2840 acres

All of the above described lands are located in the Apache National Forest, Greenlee County.

FORT VALLEY EXPERIMENTAL FOREST

T. 22 N., R. 5 E.,
Sec. 24: S $\frac{1}{2}$, S $\frac{1}{2}$ N $\frac{1}{2}$.
T. 22 N., R. 6 E.,
Sec. 13: S $\frac{1}{2}$;
Sec. 22: All;
Sec. 23: NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 24: All;
Sec. 25: E $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 27: N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$.
T. 22 N., R. 7 E.,
Sec. 19: All;
Sec. 30: All.
T. 22 N., R. 8 E.,
Sec. 22: W $\frac{1}{2}$.
T. 19 N., R. 7 E.,
Sec. 23: E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 24: E $\frac{1}{2}$, W $\frac{1}{2}$ NW $\frac{1}{4}$.

4950.28 acres

LONG VALLEY EXPERIMENTAL FOREST

T. 14 N., R. 9 E.,
Sec. 36: All (except patented H.E.S. 601).
T. 14 N., R. 10 E.,
Sec. 31: All.

1260.81 acres

BRIDGEPORT ADMINISTRATIVE SITE

T. 15 N., R. 3 E.,
Sec. 1: Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, excepting a strip 300 feet on each side of center line of U.S. Highway 89-A included in application for withdrawal of July 25, 1955, Arizona 09390.

385 acres

All of the above described lands are in the Coconino National Forest, Coconino County.

LOWELL ADMINISTRATIVE SITE

T. 13 S., R. 15 E.,
Sec. 9: W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

40 acres

MOLINO BASIN RECREATION AREA

T. 13 S., R. 16 E. (unsurveyed),
Sec. 3: N $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 12 S., R. 16 E. (unsurveyed),
Sec. 34: S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

240 acres

BEAR CANYON RECREATION AREA

T. 12 S., R. 16 E. (unsurveyed),
Sec. 33: NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

120 acres

GENERAL HITCHCOCK RECREATION AREA

T. 12 S., R. 16 E. (unsurveyed),
Sec. 23: NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$.

100 acres

ROSE CANYON RECREATION AREA

T. 12 S., R. 16 E. (unsurveyed),
Sec. 10: S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 15: N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 16: E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.

560 acres

BEAR WALLOW RECREATION AREA

T. 12 S., R. 16 E. (unsurveyed),
Sec. 5: N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

90 acres

MARSHALL GULCH RECREATION AREA

(Includes Marshall Gulch, Inspiration Rock, Loma Linda, and Sykes Knob Picnic Grounds)

T. 11 S., R. 16 E.,
Sec. 31: N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 12 S., R. 15 E. (unsurveyed),
Sec. 1: NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.

T. 12 S., R. 16 E. (unsurveyed),
Sec. 6: NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$.

210 acres

PINERY CANYON RECREATION AREA

T. 17 S., R. 30 E. (unsurveyed),
Sec. 21: E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 22: W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

50 acres

STOCKTON PASS RECREATION AREA

T. 10 S., R. 24 E.,
Sec. 1: NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.

60 acres

SHANNON RECREATION AREA

T. 9 S., R. 24 E. (unsurveyed),
Sec. 14: NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$.

20 acres

HOSPITAL FLAT RECREATION AREA

T. 9 S., R. 24 E. (unsurveyed),
Sec. 10: N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$.
120 acres

SOLDIER CREEK RECREATION AREA

T. 8 S., R. 24 E. (unsurveyed),
Sec. 32: S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.
40 acres

ARCADIA RECREATION AREA

T. 9 S., R. 25 E. (unsurveyed),
Sec. 18: NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.
10 acres

WET CANYON RECREATION AREA

T. 9 S., R. 25 E. (unsurveyed),
Sec. 17: NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.
10 acres

CALABASAS RECREATION AREA

T. 23 S., R. 13 E.,
Sec. 31: E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$.
40 acres

The above described lands are located in the Coronado National Forest.

The area described totals approximately 14,826.09 acres.

RAYMOND C. CLEGHORN,
Acting State Supervisor.

SEPTEMBER 23, 1960.

[F.R. Doc. 60-9062; Filed, Sept. 28, 1960;
8:48 a.m.]

National Park Service

ACCEPTANCE BY THE ASSISTANT
SECRETARY OF THE DEPARTMENT
OF THE INTERIOR OF EXCLUSIVE
JURISDICTION OVER CERTAIN
LANDS AT OLYMPIC NATIONAL
PARK, WASHINGTON

Take notice that effective as of the second day of July 1960, at 12 m., Pacific standard time, the United States accepted exclusive jurisdiction over those portions of Olympic National Park, Washington, described and added thereto by Proclamation No. 2587 of May 29, 1943 (57 Stat. 741; 3 CFR, Cum., Supp., page 333), and Proclamation No. 3003 of January 6, 1953 (67 Stat. C27; 3 CFR, 1949-1953 Compilation, page 178), with the exception of the following:

The detached area at Forks described as that portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16, T. 28 N., R. 13 W., W.M., lying south of State Highway No. 9, containing approximately 11.75 acres;

Parcel No. 1—Primary State Highway No. 9 throughout the coastal strip of the Olympic National Park, described as:

"That strip of land two hundred and fifty feet wide, being one hundred and twenty-five feet wide on each side of the now existing center line of Primary State Highway No. 9 from the east side of the SW $\frac{1}{4}$ Section 28, T. 26 N., R. 13 W., W.M., to the south line of Lot 2, Section 27, T. 24 N., R. 13 W., W.M.";

Parcel No. 2—A gravel supply site near Ruby Beach (State-owned), described as:

"A strip of land of varying width in Government Lot 4, Section 32, Township 26 North, Range 13 West, W.M., lying contiguous to and southerly of the existing right-of-way of State Highway No. 9, said strip of land extending from survey station 617 plus 61.8 to survey station 622 plus 00.0 and containing 0.80 acres, more or less";

Parcel No. 3—A State highway maintenance site at Kalaloch (State-owned), described as:

"A tract of land in Government Lot 4, Section 33, T. 25 N., R. 13 W., W. M. Beginning at a point which bears N. 89°51' W., 100 feet from the southwest corner of said Section 33; running thence N. 89°51' W., a distance of 255.8 feet to an intersection with the center line of Primary State Highway No. 9, Queets River to Brown's Point, as now located, constructed, and of record in the Office of the Director of Highways at Olympia, Washington, at Highway Engineer's station 323 plus 33.0; thence turning an angle of 77°45'19" to the right to a line tangent to the arc of a curve; thence along the center line of Primary State Highway No. 9, on the arc of a curve to the right, with a radius of 5730.0 feet, a distance of 320.0 feet to Highway Engineer's station 326 plus 53.0; thence leaving said center line and running S. 89°51' E., parallel to the south line of said Section 33, a distance of 255.8 feet; thence southerly along the arc of a curve which is parallel with and distant 250 feet easterly, when measured at right angles, from the center line of said Primary State Highway No. 9 to the point of beginning. Excepting therefrom the area of the right-of-way of said Primary State Highway No. 9 which is 50 feet on the easterly side of the described center line of said highway";

Parcel No. 4—Tract of land in Government lot 4, Section 32, T. 24 N., R. 13 W., W. M., described as follows:

"Beginning on the meander corner on the north boundary of Quinault Indian Reservation; thence in an easterly direction along said north boundary a distance of 562 $\frac{1}{2}$ feet to a point of intersection with center line of State Road No. 9; thence north 10°23' west a distance of 660 feet; thence south 79°37' west 50 feet to a point of intersection with westerly right-of-way line of State Road No. 9, and the true point of beginning; thence continuing south 79°37' west 417 feet; thence north 10°33' west 174.9 feet, thence north 85°44' east 419.4 feet to point of intersection with westerly right-of-way of State Road No. 9; thence south 10°23' east 130.3 feet to the true point of beginning, containing 1.46 acres, more or less";

and subject to certain reservations contained in the act of the Legislature of the State of Washington ceding jurisdiction to the United States over said lands, approved March 8, 1941 (Chapter 51, Laws of 1941 of the State of Washington, as amended by section 1, Chapter 114, Laws of 1945, Codified as Revised Code of Washington 37.08.210). This acceptance was effected by notifying the Governor of the State of Washington by a letter dated June 30, 1960, signed by Assistant Secretary Roger C. Ernst, Department of the Interior. This letter reads as follows:

Dear GOVERNOR ROSELLINI: Notice is hereby given, in accordance with the provisions of the act of the Legislature of the State of Washington, approved March 8, 1941 (Chapter 51, Laws of 1941 of the State of Washington, as amended by section 1, Chapter 114, Laws of 1945, Codified as Revised Code of Washington 37.08.210), ceding to the United States exclusive jurisdiction over and within all the territory "now or hereafter" included in that tract of land in the State of Washington set aside for the purposes of a national park and known as the Olympic National Park, and under the authority vested in me by section 10 of the act of March 6, 1942 (56 Stat. 135), that the United States accepts exclusive jurisdiction over those portions of Olympic National Park described and added to said park by Proclamation No. 2587 of May 29, 1943 (57 Stat. 741; 3 CFR, Cum.

Supp., page 333), and Proclamation No. 3003 of January 6, 1953 (67 Stat. C27; 3 CFR, 1949-1953 Compilation, page 178) (with the exception of the detached area at Forks described as that portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ section 16, T. 28 N., R. 13 W., W. M., lying south of State Highway No. 9, containing approximately 11.75 acres), saving, however, to the State of Washington full jurisdiction over a strip of land two hundred fifty feet wide, being one hundred twenty-five feet wide on each side of the now existing center line of Primary State Highway No. 9, together with existing pit sites and stockpile sites within portions of the park added by the aforesaid Proclamations (detailed descriptions of the parcels, numbers 1 to 4, inclusive, over which the State retains full jurisdiction are enclosed), and subject to the reservations made by the State of Washington in the said act of the Legislature of the State of Washington of March 8, 1941, as amended.

Notice is also hereby given in accordance with the aforesaid act of the Legislature of the State of Washington, as amended, and of section 10 of the aforesaid act of Congress of March 6, 1942, that effective as of the second day of July 1960, at 12 m., Pacific Standard Time, the United States assumes police jurisdiction over such lands over which jurisdiction is accepted as hereinbefore stated.

It is requested that you endorse the enclosed duplicate original of this notice of acceptance, indicating the date of its receipt, and return the same to this Department. There is enclosed for your convenience a stamped, self-addressed envelope.

Sincerely yours,

[S] ROGER C. ERNST,
Assistant Secretary of the Interior.

The Honorable
Albert D. Rosellini,
Governor of Washington,
Olympia, Washington.

Enclosures.

Received this 5th day of July 1960, at 8:15 a.m.

[S] ALBERT D. ROSELLINI,
Governor of Washington.

Done at Washington, D.C., this 22d day of September 1960.

JACKSON E. PRICE,
Acting Director,
National Park Service.

[F.R. Doc. 60-9052; Filed, Sept. 28, 1960;
8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

TEXAS

Designation of Area for Production
Emergency Loans

For the purpose of making production emergency loans pursuant to section 2(a) of Public Law 38, 81st Congress (12 U.S.C. 1148a-2(a)), as amended, it has been determined that in the following counties in the State of Texas a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

TEXAS

Brazoria
Calhoun
Jackson

Matagorda
Victoria
Wharton

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named counties after June 30, 1961, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 23d day of September 1960.

TRUE D. MORSE,
Acting Secretary.

[F.R. Doc. 60-9060; Filed, Sept. 28, 1960;
8:48 a.m.]

GENERAL SERVICES ADMINISTRATION

COBALTIFEROUS MATERIALS HELD IN THE NATIONAL STOCKPILE

Proposed Disposition

Pursuant to the provisions of section 3(e) of the Strategic and Critical Materials Stock Piling Act, 50 U.S.C. 98b(e), notice is hereby given of a proposed disposition of approximately 168,808 pounds of cobaltiferous materials consisting of partially processed ores, sludges, oxides, carbonates and metallics now held in the national stockpile.

The Office of Civil and Defense Mobilization has made a revised determination, pursuant to section 2(a) of the Strategic and Critical Materials Stock Piling Act, that there is no longer any need for stockpiling said cobaltiferous materials. The revised determination was based upon the finding of the Office of Civil and Defense Mobilization that said cobaltiferous materials are obsolete for use in time of war.

General Services Administration proposes to transfer said cobaltiferous materials to other Government agencies, or to offer them for sale on a competitive basis beginning six months after the date of publication of this notice in the FEDERAL REGISTER.

This plan and the date of disposition have been fixed with due regard to the protection of producers, processors, and consumers against avoidable disruption of their usual markets as well as the protection of the United States against avoidable loss on disposal.

Dated: September 21, 1960.

FRANKLIN FLOETE,
Administrator.

[F.R. Doc. 60-9045; Filed, Sept. 28, 1960;
8:46 a.m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

DESIGNATION OF ACTING REGIONAL ADMINISTRATOR, REGION II (PHILADELPHIA)

Pursuant to the Housing and Home Finance Administrator's delegation of authority to Regional Administrators, effective as of April 1, 1960 (25 F.R. 3438, April 20, 1960), the following officers of Region II are hereby designated to act in the place and stead of the Regional Administrator for Region II, with the title of "Acting Regional Administrator," and with all the powers, functions, duties, and responsibilities delegated or assigned to the said Regional Administrator, in the event the Regional Administrator is unable to act by reason of his absence, illness, or other cause, provided that no officer identified below shall have authority to act as "Acting Regional Administrator" unless all those whose titles appear before his hereunder are unable to act by reason of absence, illness or other cause:

- (1) Deputy Regional Administrator.
- (2) Regional Director of Urban Renewal.
- (3) Regional Counsel.
- (4) Regional Director of Community Facilities Activities.

The designations made herein supersede those made in designation document effective August 8, 1957, which is hereby revoked.

Effective as of the 26th day of September 1960.

[SEAL] CHESTER H. KNOWLES,
Regional Administrator,
Region II.

[F.R. Doc. 60-9067; Filed Sept. 28, 1960;
8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

SEPTEMBER 26, 1960.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within

15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 36585: *Substituted service—WAB for Mid-Continent Freight Lines, Inc.* Filed by Middlewest Motor Freight Bureau, Agent (No. 270), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between Kansas City, Mo., and Chicago, Ill., on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 143 to Middlewest Motor Freight Bureau tariff MF-I.C.C. 223.

FSA No. 36586: *Joint rail-motor rates between southwestern points and Illinois and WTL territories.* Filed by Middlewest Motor Freight Bureau, Agent (No. 271), for interested carriers. Rates on various commodities, moving on class or commodity rates, loaded in highway trailers of the motor carriers over the highways, thence transported on railroad flat cars of the rail carriers, between points in Illinois and western trunk line territories, on the one hand, and points in southwestern territory, on the other.

Grounds for relief: Rail-truck competition.

FSA No. 36587: *Structural steel—Economy, Pa., to New Orleans, La.* Filed by O. W. South, Jr., Agent (SFA No. A4015), for interested rail carriers. Rates on structural steel, in carloads, as described in the application, from Economy, Pa., to New Orleans, La.

Grounds for relief: Carrier competition.

Tariff: Supplement 14 to Traffic Executive Association-Eastern Railroads tariff I.C.C. C-90.

FSA No. 36588: *Roofing and building materials—Southwestern to southern points.* Filed by Southwestern Freight Bureau, Agent (No B-7899), for interested rail carriers. Rates on roofing and building materials, in carloads, as described in the application, from specified points in southwestern territory, to specified points in Florida and South Carolina, also Atlanta, Ga.

Grounds for relief: Market competition.

Tariff: Supplement 3 to Southwestern Freight Bureau tariff I.C.C. 4356.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 60-9057; Filed, Sept. 28, 1960;
8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—SEPTEMBER

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during September.

3 CFR

PROCLAMATIONS:

2416	8485
3298	9283
3369	8593
3370	8633
3371	8987
3372	9283
3373	9283
3374	9284
3375	9284

EXECUTIVE ORDERS:

Aug. 2, 1915	8485
Nov. 16, 1918	8485
May 14, 1920	8485
6761	8485
9234	8725
10743	8471
10885	8471
10886	8633
10887	9195

PRESIDENTIAL DOCUMENTS OTHER
THAN PROCLAMATIONS AND EX-
ECUTIVE ORDERS:

Letter, Nov. 13, 1958, super- seded by E.O. 10887	9195
--	------

5 CFR

6	8366, 8472, 8634, 8855, 8988
24	9167, 9196
29	8988, 9285
325	9137

6 CFR

331	8472
383	9137
421	9137, 9138, 9196, 9197
446	8472
475	8594, 9285

7 CFR

201	8769
301	8705
330	8989
401	9138
722	8708, 8711, 8737
725	8775
727	9033
818	9197
874	9239
903	8634
907	8634
909	8634
913	8711, 9199
918	8634
921	9199
922	8634
925	8537, 8737, 8807, 8941, 9168
927	8634
933	9285
939	8737, 8738, 9168, 9169, 9285
940	8807
941	8738
951	8634
953	8739
954	8739, 8807, 8941, 8991, 9169, 9199
957	8634
958	8739
959	8740, 8808
966	9200
967	9201
969	8634
970	8538, 8903, 9170
977	8942
986	8473
	8903

7 CFR—Continued

991	8634
993	8808, 8991
997	9201
1001	8365, 9170
1003	8943, 9202
1008	8634
1011	8634
1016	8634
1017	8809
1019	8712
1020	8365
1023	8634
1030	8991
1031	9093
1067	8943
1069	9171
1101	8775
1104	8775
1105	8991

PROPOSED RULES:

29	8784
51	8641
52	9148
319	8823, 9250
730	9059
902	8745
909	8746
912	8646
922	9151
927	8610
938	8746
944	8646
949	8722
955	9250
960	8952
961	8656
965	8909
975	8952
978	9010
984	8656
989	8656, 8887
997	8722
1003	8618
1004	9180
1010	8656
1032	8559

9 CFR

27	9002
71	8480
72	8480, 9286
74	9105

PROPOSED RULES:

17	9023
71	9121
76	9121
81	9121

10 CFR

20	8595
50	8712

PROPOSED RULES:

40	8619
----	------

12 CFR

224	8904
545	8775
555	9202
563	8604

PROPOSED RULES:

545	9226
563	9226

13 CFR

107	8855
-----	------

13 CFR—Continued

PROPOSED RULES:

107	8683
121	8683, 9062

14 CFR

20	9287
27	8481
60	8538
302	8856
405	8713
406	8713
418	8714
507	8740
	8741, 8861, 9140, 9241, 9242, 9287
514	9024, 9173
600	8483, 8540-8542, 8635, 8714, 8741,
	8809, 8810, 8861, 8862, 8944, 9242
601	8365, 8483, 8484, 8540-8544, 8604,
	8635, 8714, 8715, 8741, 8742, 8810,
	8811, 8861-8863, 8944-8946, 9242
602	8484, 8542, 8811, 9174
608	8365, 8483, 8485,
	8544, 8545, 8635, 8637, 8715, 8741,
	8812, 8862, 8863, 8946, 9024, 9098
609	9098, 9101
610	8857, 9174

PROPOSED RULES:

40	8381
41	8381
42	8381
60	9060
241	8784
294	8962
298	9183
507	8750, 8794, 8961, 9181, 9250
514	8909, 9224, 9225
600	8489, 8490, 8576, 8722,
	8723, 8751, 8823, 8826-8830, 8887,
	8888, 8961, 9061, 9121, 9122, 9294
601	8490-8493,
	8576, 8722, 8723, 8751, 8823-8830,
	8887, 8888, 8910, 8911, 8961, 9061,
	9062, 9121-9123, 9151, 9152, 9294
602	8493,
	8494, 8723, 8831, 9123, 9295, 9296
608	8365, 8483, 8485,
	8544, 8545, 8636, 8637, 9024, 9122
626	8911

15 CFR

384	8638
-----	------

16 CFR

13	9140,
	9141, 9203, 9204, 9243, 9287, 9288

17 CFR

PROPOSED RULES:

270	8382
-----	------

18 CFR

141	9042
-----	------

19 CFR

14	8605
19	8946, 9289
24	8946

PROPOSED RULES:

3	8549
4	8549

20 CFR

325	8863
404	8605
601	9171
602	9046, 9171

20 CFR—Continued

603	9171
604	9171
606	9171
607	9171
608	9171
609	9172
610	9172
611	9172
613	9171
614	9172

21 CFR

3	8769
17	8366
19	8947
25	8948
27	8366, 8769
51	8366
120	8545, 8638, 8948, 9106
121	8366-8368, 8605, 8949
141c	9106
146	9106
146a	9002
146c	9106

PROPOSED RULES:

120	8577, 8578, 8959
121	8578, 8960, 9121, 9151
130	9151
146b	9223

22 CFR

41	9243
42	9243
202	8605

24 CFR

200	8486, 9244
204	9205
221	9205
222	9205
226	9214
244	9214
262	9214
267	9214
277	9214
293a	9215
294	9215
295	9215

25 CFR

2	9106
163	9002

26 (1939) CFR**PROPOSED RULES:**

40	9180
----	------

26 (1954) CFR

1	8369, 8776, 8904, 9215
17	8375

PROPOSED RULES:

1	8550, 8554, 8641, 9223
48	8782
49	9143
148	9143

29 CFR

2	9003
672	8812
673	8742

29 CFR—Continued

675	8743
677	8813
PROPOSED RULES:	
545	8747
601	9182
670	9182
678	9182

32 CFR

157	8606
517	9220
561	8607
562	8638
577	8545
590	8375
592	8375
596	8375
598	8375
601	8375
602	8375
605	8375
606	8375
836	8715, 9221
878	9109
1453	9239
1475	9239

33 CFR

72	8949
80	9045
84	9045
90	9046
95	9046
202	9220
203	8906, 9003
205	9003
207	8378, 8379, 8906

35 CFR

4	9289
---	------

36 CFR

211	8379
251	9245

38 CFR

3	8639
6	8776
8	8776

39 CFR

15	9047
17	9047
25	9047
29	9047
31	9047
44	9047
168	9174

PROPOSED RULES:

32	9010
----	------

41 CFR

9-7	8864
9-15	8873

42 CFR**PROPOSED RULES:**

73	8886, 8960
----	------------

43 CFR

15	8949
199	8546

43 CFR—Continued

PUBLIC LAND ORDERS:	
2196	8485
2197	8485
2198	8546
2199	8548
2200	8950
2201	9004
2202	9049
2203	9050
2204	9141
2205	9176
2206	9246

45 CFR

114	9141
145	9289

46 CFR

10	9176
175-187	9315
308	8380

47 CFR

1-66	9177
1	8814
2	9178
3	9051, 9115
7	8815
8	8609, 8815, 8881
10	9179
11	9178
12	8744
13	9116
21	8882
31	8777
33	8777
41	8744
43	8814

PROPOSED RULES:

3	8888, 8889
7	8831
10	8890
11	8831, 9296

49 CFR

7	9004
170	9116
179	9004

PROPOSED RULES:

72	8494
73	8495
74	8504
78	8504
142	8486
143	8486
158	8751
159	8751
160	8751
207	8962

50 CFR

1-356	8397
10	8717
32	8486-8488, 8720, 8721, 8816-8821, 8884, 9006, 9007, 9117, 9118, 9179, 9220, 9246-9248, 9292, 9293
33	8821, 9293
	8822, 9007, 9008, 9118, 9119, 9119
256	

PART II

FEDERAL REGISTER

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
OF THE UNITED STATES
1934
VOLUME 25
NUMBER 190

Washington, Thursday, September 29, 1960

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

[CGFR 60-54]

SUBCHAPTER T—SMALL PASSENGER VESSELS (NOT MORE THAN 65 FEET IN LENGTH)

REVISION OF SUBCHAPTER

Pursuant to the notice of proposed rule making published in the *FEDERAL REGISTER* on February 18, 1960 (25 F.R. 1440-1448), and Merchant Marine Council Public Hearing Agenda dated April 4, 1960 (CG-249), the Merchant Marine Council held a public hearing on April 4, 1960, for the purpose of receiving comments, views, and data. The proposals considered were identified as Items I through XII, inclusive, and Item V contained proposed requirements regarding small passenger vessels in 46 CFR Parts 175 to 186, inclusive (Subchapter T).

This document contains the actions taken with respect to small passenger vessels in Item V of the Agenda. On the basis of information received changes were made in certain proposals identified in the Agenda as §§ 176.01-1(a), 176.10-10, 176.10-13, 178.05-11, 178.05-13, 178.20-1, 178.35-1 (a) and (e), 178.40-1, 179.10-1(b), 180.10-5(a)(2), 180.10-10(a)(2), 182.01-20(a)(1), 182.10-20(a)(1), 182.15-5, 183.01-1(a), 183.01-5(a), 183.25-1(a), 183.25-5, 183.25-20 (j) and (k), 183.25-35(c)(1), 183.25-45(b)(2) and (3).

The proposals in Item V as revised are accepted and are set forth in this document. The amendments which were not described in the *FEDERAL REGISTER* of February 18, 1960 (25 F.R. 1442-1444), are considered to be interpretations of law, or editorial amendments and it is hereby found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule making procedure thereon, and effective date requirements thereof) is unnecessary with respect to such changes. Many of the regulations have been renumbered. For convenience comparison tables have been prepared showing the old section numbers and the new section numbers, and the sections assigned with asterisks indicate the text was revised or amended by this revision.

No. 190—Pt. II—1

These tables appear following the last section of regulations.

This revision to the "Small Passenger Vessel Regulations" is based on the experience gained from the inspection and certification of more than 4,000 small passenger vessels since Public Law 84-519 became effective on June 1, 1958. The primary aims in making the changes have been (1) the simplification and clarification of the regulations, (2) the incorporation of procedures and standards that have proved satisfactory for existing vessels, and (3) the rejection of procedures and standards that have proved impracticable or unnecessary for small passenger vessels. The changes are expected to enable the small boat owner to more easily determine the requirements applicable to his particular vessel.

It should be noted that the regulation changes will, for the most part, only affect new vessels and will not impose additional requirements on vessels which have already been approved and certificated by the Coast Guard. One exception to this is the change which provides that "on or before July 1, 1963, all kapok and fibrous glass life preservers which do not have plastic-covered pad inserts shall be removed from service." This requirement will affect all existing small passenger vessels as well as new vessels.

Navigation and Vessel Inspection Circular No. 4-57, dated October 1, 1957, sets forth in detail the application of the then effective "Small Passenger Vessel Regulations" to vessels in existence as passenger vessels before June 1, 1958. With this current revision of the regulations and since practically all of the existing vessels have already been inspected and certificated, Navigation and Vessel Inspection Circular No. 4-57 will be cancelled. The inspection procedures and standards for these existing vessels will, however, remain essentially the same as before.

A vast majority of vessels inspected under this subchapter carry less than 150 passengers. For these vessels particularly, the plans required to be submitted for approval have been reduced, and procedures modified to facilitate action on these plans by the Officer in Charge, Marine Inspection.

The complete rewrite of Part 178 (Watertight Integrity and Subdivision)

and Part 179 (Stability) provides a simplified and less costly procedure for determining subdivision and stability for most vessels requiring such determination. The simplified stability test is similar to that used and proved satisfactory in determining the stability of existing small passenger vessels.

In addition to the substantive changes which appear in the Merchant Marine Council Public Hearing Agenda (CG-249), other changes have been made as described in the introduction to Item V of the Agenda. These additional changes are in the interest of simplification and clarification of the regulations and to rearrange the existing and newly adopted regulations. To this end, informative material has been added and cross-references, both within these regulations and to regulations contained in other subchapters of this chapter, have been eliminated where possible. The removal of cross references has necessarily resulted in a greater amount of material in the regulations. Examples of material added to remove cross-references are the regulations in Subpart 182.20 with regard to diesel engine installations and in Subpart 183.10 with regard to electrical installations operating at potentials of 50 volts or more.

The licensing requirements for operators and ocean operators under 46 CFR Part 187 do not contain any requirements that have not been previously published. However, the current provisions are included in this document in order that the revision of Subchapter T will be complete.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order 167-20, dated June 18, 1956 (21 F.R. 4894), to promulgate regulations in accordance with section 3 of the Act of May 10, 1956, Parts 175 to 187, inclusive, are revised to read as set forth below. This revision of Parts 175 to 187, inclusive, shall become effective on and after November 1, 1960, unless it is specifically provided otherwise in the text of the regulations.

PART 175—GENERAL PROVISIONS

Subpart 175.01—Authority

Sec.
175.01-1 General.

9315

Subpart 175.05—Application

- Sec.
 175.05-1 Vessels subject to the requirements of this subchapter.
 175.05-5 Specific application noted in text.
 175.05-15 Gross tonnage as a criterion for requirements.

Subpart 175.10—Definitions of Terms Used in This Subchapter

- 175.10-1 Approved.
 175.10-2 Approved type.
 175.10-3 Coastwise.
 175.10-5 Commandant.
 175.10-7 Coast Guard District Commander.
 175.10-9 Ferry.
 175.10-11 Great Lakes.
 175.10-13 Headquarters.
 175.10-17 Lakes, bays, and sounds.
 175.10-19 Length.
 175.10-21 Marine inspector or inspector.
 175.10-23 Non-self-propelled vessel.
 175.10-25 Ocean.
 175.10-26 Officer in Charge, Marine Inspection.
 175.10-27 Passenger.
 175.10-29 Pilothouse control.
 175.10-31 Recognized classification society.
 175.10-33 Rivers.
 175.10-35 Rules of the Road.
 175.10-36 Sailing vessel.
 175.10-37 Vessel.

Subpart 175.15—Equivalents

- 175.15-1 Conditions under which equivalents may be used.

Subpart 175.20—Administrative Procedure

- 175.20-1 Assignment of marine inspector.
 175.20-5 Notice of deficiencies and requirements.

Subpart 175.25—Special Consideration

- 175.25-1 By Officer in Charge, Marine Inspection.

Subpart 175.30—Appeals

- 175.30-1 Right of appeal.

AUTHORITY: §§ 175.01-1 to 175.30-1 issued under sec. 3, 70 Stat. 152; 46 U.S.C. 390b. Other statutory provisions interpreted or applied are cited to text in parentheses.

Subpart 175.01—Authority**§ 175.01-1 General.**

(a) By virtue of the authority vested in the Commandant of the Coast Guard by the Secretary of the Treasury in Treasury Department Order 167-20, dated June 18, 1956 (21 F.R. 4894), the regulations in this subchapter are prescribed to carry out the intent and purposes of the Act of May 10, 1956 (70 Stat. 151-154; 46 U.S.C. 390b), which requires the inspection and certification of certain vessels carrying passengers.

(b) Where other laws are applicable to vessels inspected under this subchapter, appropriate references following certain regulations are made to show that such regulations interpret or apply such laws.

Subpart 175.05—Application**§ 175.05-1 Vessels subject to the requirements of this subchapter.**

(a) The general overall application of the regulations in this subchapter to small passenger vessels, and the application of other vessel inspection regulations are tabulated in Table 175.05-1(a). Specifically, this subchapter shall be applicable to vessels not more than 65 feet in length carrying more than 6 passen-

gers, which are (1) propelled in whole or in part by steam or any form of mechanical or electrical power; (2) propelled by sail; or (3) non-self-propelled. The regulations in this subchapter are applicable to all such United States flag vessels and all such foreign flag vessels carrying more than 6 passengers from a port of the United States, except as follows:

(1) Any vessel of a foreign nation signatory to the International Convention for the Safety of Life at Sea, 1948, and which has on board a current, valid safety certificate.

(2) Any vessel of a foreign nation having inspection laws approximating those of the United States together with reciprocal inspection arrangements with the United States, and which has on board a current, valid certificate of inspection issued by its government under such arrangements.

(3) Any vessel operating exclusively on inland waters which are not navigable waters of the United States.

(4) Any vessel while laid up and dismantled and out of commission.

(5) With the exception of vessels of the United States Maritime Administration, any vessel with title vested in the United States and which is used for public purposes and operated by a department or agency of the Federal Government.

(6) Any lifeboat forming part of a vessel's lifesaving equipment.

(b) Any vessel of not more than 65 feet in length and of 100 gross tons and over shall comply with the provisions of this subchapter and shall be subject to certain additional requirements as determined by the Officer in Charge, Marine Inspection. These additional requirements are contained in applicable regulations in Subchapter H (Passenger Vessels), Subchapter P (Manning), Subchapter F (Marine Engineering), and Subchapter J (Electrical Engineering) of this chapter.

(R.S. 4405, as amended, 4417, as amended, 4418, as amended, 4426, as amended, 4462, as amended, 4463, as amended; 46 U.S.C. 375, 391, 392, 404, 416, 222)

(c) Nothing in the regulations in this subchapter shall be construed as exempting any mechanically propelled vessel, other than a yacht, which carries more than 12 passengers on an international voyage from the applicable requirements of the International Convention for Safety of Life at Sea, 1948.

(E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.)

(d) Any vessel which carries inflammable or combustible liquid cargo, or explosives, or other dangerous articles or substances is subject to additional requirements provided in other laws and regulations. Any Officer in Charge, Marine Inspection, may be contacted for information concerning these additional requirements.

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended, 4472, as amended; 46 U.S.C. 375, 391a, 416, 170)

(e) Any mechanically propelled vessel inspected and certificated under the provisions of this subchapter, which is of above 15 gross tons and carries freight

for hire, is subject to additional requirements provided in other laws and regulations. Any Officer in Charge, Marine Inspection, may be contacted for information concerning these additional requirements.

(R.S. 4405, as amended, 4426, as amended, 4462, as amended; 46 U.S.C. 375, 404, 416)

§ 175.05-5 Specific application noted in text.

(a) At the beginning of the various parts, subparts and sections, a more specific application is generally given for the particular portion of the text involved. This application sets forth the types, sizes, services or vessels to which the text pertains, and in many cases limits the application of the text to vessels contracted for before or after a specific date.

(b) As used in this subchapter the term "vessels contracted for" includes not only the contracting for the construction of a vessel, but also the contracting for a material alteration to a vessel, the contracting for the conversion of a vessel to a passenger vessel, and the changing of service or route of a vessel if such change increases or modifies the general requirements for the vessel or increases the hazards to which it might be subjected.

§ 175.05-15 Gross tonnage as a criterion for requirements.

(a) The regulations in this subchapter, as well as referenced requirements in other subchapters in this chapter, take into account the passenger vessel's size, construction, and equipment, as well as its intended service on the routes or waters on which it is desired to be operated or navigated, which are indications of the hazards to which such vessel may be subjected. The Commandant's determinations in this respect for a particular passenger vessel are stipulated in a certificate of inspection, which states certain terms and conditions governing such vessel when in operation.

(b) In applying the laws and regulations to passenger vessels, one criterion for invocation of safety standards is the description of passenger vessels by relative size in gross tons. When it is determined by the Commandant that the gross register tonnage for a particular passenger vessel, which is attained by exemptions, reductions, or other devices in the basic gross tonnage formulation, will circumvent or be incompatible with the application of specific safety requirements in the passenger vessel regulations for a vessel of such physical size, the Commandant shall prescribe the regulations to be made applicable to such vessel.

(c) When the Commandant determines that the gross register tonnage is not a valid criterion for the invocation of safety requirements based on relative size, the parties involved will be informed of the determination and of the regulations applicable to such passenger vessel, and before being permitted to operate such vessel, compliance therewith shall be required. Endorsements or notations on the passenger vessel's certificate of inspection may be made as appropriate.

TABLE 175.05-1(a)

Method of propulsion	Size or other limitations ¹	Classes of vessels (including motorboats) examined or inspected under various Coast Guard regulations ¹			
		Vessels inspected and certificated under Subchapter D—Tank Vessels ²	Vessels inspected and certificated under either Subchapter H—Passenger Vessels ^{3,4} or Subchapter T—Small Passenger Vessels ^{2,3,4}	Vessels inspected and certificated under Subchapter I—Cargo and Miscellaneous Vessels ^{2,5}	Vessels subject to provisions of Subchapter C—Uninspected Vessels ^{2,3,6}
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Steam	Vessels not over 65 feet in length.	All vessels carrying combustible or inflammable liquid cargo in bulk.	All vessels carrying more than 6 passengers. ⁷	All tugboats and towboats.	All vessels except those covered by columns 3, 4, and 5. ⁸
	Vessels over 65 feet in length.	All vessels carrying combustible or inflammable liquid cargo in bulk. ⁹	1. All vessels carrying more than 12 passengers on an international voyage, except yachts. 2. All vessels of not over 15 gross tons which carry more than 6 passengers. ⁷ 3. All other vessels carrying passengers, except: a. Yachts. b. Documented cargo vessels issued a permit to carry not more than 16 persons in addition to the crew. c. Towing and fishing vessels, in other than ocean and coastwise service, issued a permit to carry persons on the legitimate business of the vessel, in addition to crew, but not to exceed one for each net ton of the vessel.	All vessels except those covered by columns 3 and 4.	None.
Motor	Vessels of not over 15 gross tons.	All vessels carrying combustible or inflammable liquid cargo in bulk.	All vessels carrying more than 6 passengers. ⁷	None, except if required by 46 CFR Part 146. ⁸	All vessels except those covered by columns 3, 4, and 5.
	Vessels over 15 gross tons except seagoing motor vessels of 300 gross tons and over.	All vessels carrying combustible or inflammable liquid cargo in bulk. ⁹	1. All vessels carrying more than 12 passengers on an international voyage, except yachts. 2. All vessels not over 65 feet in length which carry more than 6 passengers. ⁷ 3. All other vessels of over 65 feet in length carrying passengers for hire except documented cargo vessels issued a permit to carry not more than 16 persons in addition to the crew.	All vessels carrying freight for hire except those covered by columns 3 and 4.	All vessels except those covered by columns 3, 4, and 5.
	Seagoing motor vessels of 300 gross tons and over.	All vessels carrying combustible or inflammable liquid cargo in bulk. ⁹	1. All vessels carrying more than 12 passengers on an international voyage, except yachts. 2. All other vessels carrying passengers, except: a. Yachts. b. Documented cargo vessels issued a permit to carry not more than 16 persons in addition to the crew.	All vessels except those covered by columns 3 and 4, and those engaged in the fishing, oystering, clamming, crabbing, or any other branch of the fishery, kelp, or sponge industry.	All vessels except those covered by columns 3, 4, and 5.
Sail	Vessels not over 700 gross tons.	All vessels carrying combustible or inflammable liquid cargo in bulk.	All vessels carrying more than 6 passengers. ⁷	None, except if required by 46 CFR Part 146. ⁸	None.
	Vessels over 700 gross tons.	All vessels carrying combustible or inflammable liquid cargo in bulk.	All vessels carrying passengers for hire.	None, except if required by 46 CFR Part 146. ⁸	None.
Non-self-propelled	Vessels not over 100 gross tons.	All vessels carrying combustible or inflammable liquid cargo in bulk.	All vessels carrying more than 6 passengers. ⁷	None, except if required by 46 CFR Part 146. ⁸	All barges carrying passengers except those covered by column 4.
	Vessels over 100 gross tons.	All vessels carrying combustible or inflammable liquid cargo in bulk.	All vessels carrying passengers for hire.	All seagoing barges, and inland barges when required by 46 CFR Part 146, ⁸ except those covered by columns 3 and 4.	All barges carrying passengers except those covered by column 4.

¹ Where length is used in this table it means the length measured from end to end over the deck, excluding sheer.

² Subchapters E (Load Lines), F (Marine Engineering), J (Electrical Engineering), and N (Explosives or Other Dangerous Articles or Substances, and Combustible Liquids on Board Vessels) of this chapter may also be applicable under certain conditions.

³ Public nautical school ships, other than vessels of the Navy and Coast Guard, shall meet the requirements of Part 167 of Subchapter R (Nautical Schools) of this chapter. Civilian nautical school ships, as defined by 46 U.S.C. 1331, shall meet the requirements of Subchapter H (Passenger Vessels) and Part 168 of Subchapter R (Nautical Schools) of this chapter.

⁴ Subchapter H (Passenger Vessels) of this chapter covers only those vessels over 65 feet in length. Subchapter T (Small Passenger Vessels) of this chapter covers only those vessels of not over 65 feet in length.

⁵ Any vessel subject to R.S. 4472, as amended (46 U.S.C. 170), shall be inspected and certificated as a condition precedent to being permitted to carry such bulk cargoes when so specifically required by 46 CFR Part 146.

⁶ Any vessel on an international voyage is subject to the requirements of the International Convention for the Safety of Life at Sea, 1948.

⁷ The meaning of the term "passenger" is as defined in the Act of May 10, 1956 (sec. 1, 70 Stat. 151; 46 U.S.C. 390).

⁸ Boilers and machinery are subject to examination on vessels over 40 feet in length.

⁹ Vessels covered by Subchapters H (Passenger Vessels) or I (Cargo and Miscellaneous Vessels) of this chapter, where the principal purpose or use of the vessel is not for the carriage of liquid cargo, may be granted a permit to carry a limited amount of inflammable or combustible liquid cargo in bulk. The portion of the vessel used for the carriage of the inflammable or combustible liquid cargo shall meet the requirements of Subchapter D (Tank Vessels) in addition to the requirements of Subchapter H (Passenger Vessels) or I (Cargo and Miscellaneous Vessels) of this chapter.

(R.S. 4405, as amended, 4462, as amended, 46 U.S.C. 375, 416)

Subpart 175.10—Definitions of Terms Used in This Subchapter

§ 175.10-1 Approved.

This term means approved by the Commandant unless otherwise stated.

§ 175.10-2 Approved type.

(a) Where equipment in this subchapter is required to be of an "approved type," such equipment must be of a type which has been specifically approved by the Commandant.

(b) Notifications regarding approvals are published in the *FEDERAL REGISTER*. In addition, approved types of equipment are listed in Coast Guard publication CG-190, "Equipment Lists," which is available at the Marine Inspection Office of any Officer in Charge, Marine Inspection.

§ 175.10-3 Coastwise.

(a) This term shall be used to describe a route which is not more than 20 nautical miles offshore on any of the following waters:

- (1) Any ocean;
- (2) The Gulf of Mexico;
- (3) The Caribbean Sea;
- (4) The Gulf of Alaska; and,

(5) Such other similar waters as may be designated by a Coast Guard District Commander.

§ 175.10-5 Commandant.

This term means the Commandant of the Coast Guard.

§ 175.10-7 Coast Guard District Commander.

This term means an officer of the Coast Guard designated as such by the Commandant to command all Coast Guard activities within his district which include the enforcement and administration of title 52 of the Revised Statutes, acts amendatory thereof or supplemental thereto and rules and regulations thereunder.

§ 175.10-9 Ferry.

Under this designation shall be included those vessels, in other than ocean or coastwise service, having provisions only for deck passengers and/or vehicles, operating on a short run on a frequent schedule between two points over the most direct water route, and offering a public service of a type normally attributed to a bridge or tunnel.

§ 175.10-11 Great Lakes.

This term shall be used to describe a route on the waters of any of the Great Lakes.

§ 175.10-13 Headquarters.

This term means the Office of the Commandant, United States Coast Guard, Washington, D.C.

§ 175.10-17 Lakes, bays, and sounds.

(a) This term shall be used to describe a route on any of the following waters:

- (1) Any lake other than the Great Lakes;
- (2) Any bay;
- (3) Any sound; and,
- (4) Such other similar waters as may be designated by a Coast Guard District Commander.

§ 175.10-19 Length.

In determining length for the purpose of this chapter it shall be measured from end to end over the deck excluding sheer.

§ 175.10-21 Marine inspector or inspector.

This term means any person from the civilian or military branch of the Coast Guard assigned under the superintendence and direction of an Officer in Charge, Marine Inspection, designated for the performance of duties with respect to the enforcement and administration of title 52 of the Revised Statutes, acts amendatory thereof or supplemental thereto, rules and regulations thereunder.

§ 175.10-23 Non-self-propelled vessel.

Under this designation shall be included all vessels which do not have installed either propulsive machinery or masts, spars and sails.

§ 175.10-25 Ocean.

(a) This term shall be used to describe a route which is more than 20 nautical miles offshore on any of the following waters:

- (1) Any ocean;
- (2) The Gulf of Mexico;
- (3) The Caribbean Sea;
- (4) The Gulf of Alaska; and,
- (5) Such other similar waters as may be designated by a Coast Guard District Commander.

§ 175.10-26 Officer in Charge, Marine Inspection.

This term means any person from the civilian or military branch of the Coast Guard designated as such by the Commandant and who, under the superintendence and direction of the Coast Guard District Commander, is in charge of an inspection zone for the performance of duties with respect to the inspections, enforcement, and administration of Title 52, Revised Statutes, and acts amendatory thereof or supplemental thereto, and rules and regulations thereunder.

§ 175.10-27 Passenger.

A passenger is every person other than the master and the members of the crew or other persons employed or engaged in any capacity on board a vessel in the business of that vessel. The following special considerations should be noted:

(a) In the case of a vessel on an international voyage a child under one year of age is not counted as a passenger.

(b) For vessels subject to the provisions of the Act of May 10, 1956, the term passenger means every person carried on board a vessel other than:

- (1) The owner or his representative;
- (2) The master and the bona fide members of the crew engaged in the business of the vessel who have contributed no consideration for their carriage and who are paid for their services;
- (3) Any employee of the owner of the vessel engaged in the business of the owner, except when the vessel is operating under a bareboat charter;
- (4) Any employee of the bareboat charterer of the vessel engaged in the business of the bareboat charterer;

(5) Any guest on board a vessel which is being used exclusively for pleasure purposes who has not contributed any consideration directly or indirectly, for his carriage; or

(6) Any person on board a vessel documented and used for tugboat or towboat service of fifty gross tons or more who has not contributed any consideration, directly or indirectly, for his carriage.

§ 175.10-29 Pilehouse control.

This term means that the operator of the vessel may start and stop the engines and control the direction and speed of the propeller from the principal station from which the vessel is steered.

§ 175.10-31 Recognized classification society.

This term means any organization of nationwide scope, such as the American Bureau of Shipping or Lloyd's Register of Shipping, with standards, of construction or equipment which have been accepted and/or approved by the Commandant.

§ 175.10-33 Rivers.

(a) This term shall be used to describe a route on any of the following waters:

- (1) Any river;
- (2) Any canal; and,

(3) Such other similar waters as may be designated by a Coast Guard District Commander.

§ 175.10-35 Rules of the Road.

(a) The term "Rules of the Road" means the statutory and regulatory rules governing navigation of vessels. These rules are also published by the Coast Guard in pamphlet form as follows:

- (1) Rules of the Road—International—Inland (CG-169).
- (2) Rules of the Road—Great Lakes (CG-172).
- (3) Rules of the Road—Western Rivers (CG-184).

(b) The current editions of the "Rules of the Road" pamphlets may be obtained from the Marine Inspection Office of any Officer in Charge, Marine Inspection.

§ 175.10-36 Sailing vessel.

This term means a vessel with no mechanical means of propulsion, all propulsive power being provided by sails.

§ 175.10-37 Vessel.

Where the word "vessel" is used in this subchapter, it shall be considered to include all vessels subject to the requirements of this subchapter as described in Subpart 175.05 of this part.

Subpart 175.15—Equivalents

§ 175.15-1 Conditions under which equivalents may be used.

(a) Where in this subchapter it is provided that a particular fitting, appliance, apparatus, or equipment, or type thereof, shall be fitted or carried in a vessel, or that any particular arrangement shall be adopted, the Commandant may accept in substitution therefor any other fitting, apparatus, or equipment, or type thereof, or any other arrangement: *Provided*, That he shall have been satisfied by suitable trials that the fitting, appliance,

apparatus, or equipment, or type thereof, or the arrangement shall be at least as effective as that specified in this subchapter.

(b) In any case where it is shown to the satisfaction of the Commandant that the use of any particular equipment, apparatus, or arrangement not specifically required by law is unreasonable or impracticable, the Commandant may permit the use of alternate equipment, apparatus, or arrangement to such an extent and upon such conditions as will insure, to his satisfaction, a degree of safety consistent with the minimum standards set forth in this subchapter.

Subpart 175.20—Administrative Procedure

§ 175.20-1 Assignment of marine inspector.

(a) Upon receipt of a written application for inspection, the Officer in Charge, Marine Inspection, will assign a marine inspector to inspect the vessel. This inspection will be made at a mutually agreed to time and place.

(b) The owner or someone representing the owner shall be present during the inspection.

§ 175.20-5 Notice of deficiencies and requirements.

(a) If during the inspection of a vessel, the vessel or its equipment is found not to conform to the requirements of law or the regulations in this subchapter, the marine inspector will point out all deficiencies and will discuss all requirements with the owner or his representative. Normally, the marine inspector will list all such requirements which have not been completed and present the list to the owner or his representative.

(b) In any case where the owner of a vessel or his representative desires further clarification of, or reconsideration of any requirement placed against his vessel, he may discuss the matter with the Officer in Charge, Marine Inspection.

Subpart 175.25—Special Consideration

§ 175.25-1 By Officer in Charge, Marine Inspection.

(a) In applying the provisions of Parts 177, 178, 180, 181, 182, 183, and 184 of this subchapter, the Officer in Charge, Marine Inspection, may give special consideration to departures from the specific requirements when special circumstances or arrangements warrant such departures.

(R.S. 4405, as amended, 4417, as amended, 4418, as amended, 4426, as amended, 4462, as amended, 4488, as amended, 4491, as amended; 46 U.S.C. 375, 391, 392, 404, 416, 481, 489)

Subpart 175.30—Appeals

§ 175.30-1 Right of appeal.

(a) Whenever any person directly interested in or affected by any decision or action of any Officer in Charge, Marine Inspection, shall feel aggrieved by such decision or action, he may appeal therefrom to the Coast Guard District Commander having jurisdiction and a like appeal shall be allowed from any de-

cision or action of the Coast Guard District Commander to the Commandant, whose decision shall be final: *Provided, however,* That application for such reexamination of the case by a Coast Guard District Commander or by the Commandant shall be made within 30 days after the decision or action appealed from shall have been rendered or taken.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

PART 176—INSPECTION AND CERTIFICATION

Subpart 176.01—Certificate of Inspection

Sec.

- 176.01-1 When required.
- 176.01-5 Description.
- 176.01-10 How to obtain or renew.
- 176.01-15 Period of validity.
- 176.01-20 Routes permitted.
- 176.01-25 Passengers permitted.
- 176.01-30 Permit to carry excursion party.
- 176.01-35 Certificate of inspection amendment.
- 176.01-40 Posting.

Subpart 176.05—Inspection for Certification

- 176.05-1 General.
- 176.05-5 Initial inspection for certification.
- 176.05-10 Subsequent inspections for certification.

Subpart 176.10—Reinspection

- 176.10-1 When made.
- 176.10-5 Scope.

Subpart 176.15—Drydocking or Hauling Out

- 176.15-1 When required.
- 176.15-5 Scope of drydock examination.
- 176.15-10 Notice.

Subpart 176.20—Repairs and Alterations

- 176.20-1 Permission required.
- 176.20-5 Inspection required.

Subpart 176.25—Material Inspections

- 176.25-1 Inspection standards.
- 176.25-5 Hull.
- 176.25-10 Machinery.
- 176.25-15 Electrical.
- 176.25-20 Lifesaving equipment.
- 176.25-25 Fire extinguishing equipment.
- 176.25-30 Pressure vessels.
- 176.25-35 Steering apparatus.
- 176.25-40 Miscellaneous systems and equipment.
- 176.25-45 Sanitary inspection.
- 176.25-50 Unsafe practices.

Subpart 176.30—Limitations of Inspections

- 176.30-1 Marine inspector not limited.

Subpart 176.35—International Convention for Safety of Life at Sea, 1948

- 176.35-1 Vessels subject to requirements.
- 176.35-5 International voyage.
- 176.35-10 Safety certificate.

AUTHORITY: §§ 176.01-1 to 176.35-10 issued under sec. 3, 70 Stat. 152; 46 U.S.C. 390b. Other statutory provisions interpreted or applied are cited to text in parentheses.

Subpart 176.01—Certificate of Inspection

§ 176.01-1 When required.

(a) Except as noted in this section, every vessel subject to inspection and certification shall, when carrying more than six passengers, have on board a valid certificate of inspection, Form CG-

3753, and shall be operated in compliance therewith.

(b) Every mechanically propelled vessel of above 15 gross tons inspected and certificated under the provisions of this subchapter shall, during the tenure of the certificate, be in full compliance with the terms of the certificate when carrying freight for hire. Any other vessel certificated under the provisions of this subchapter when carrying not more than 6 passengers, and when operating as a yacht, commercial fishing vessel, cargo carrier, etc., will be subject only to the laws, rules and regulations governing the type of operation in which it engages.

(R.S. 4405, as amended, 4421, as amended, 4426, as amended, 4462, as amended, 4463, as amended, 4464, as amended, sec. 26, 41 Stat. 998, as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 375, 399, 404, 416, 222, 451, 882, 526p)

(c) If necessary to prevent delay of the vessel, a temporary certificate of inspection, Form CG-854, shall be issued pending the issuance and delivery of the regular certificate of inspection. Such temporary certificate shall be carried in the same manner as the regular certificate and shall in all ways be considered the same as the regular certificate of inspection which it represents.

§ 176.01-5 Description.

(a) The certificate of inspection issued to a vessel will describe the vessel, the route which she may travel, the minimum manning requirements, the major lifesaving equipment carried, the minimum fire extinguishing equipment and life preservers required to be carried, the maximum number of passengers and the maximum number of persons which may be carried, the name of the owner and charterer, and such conditions of operations as may be determined by the Officer in Charge, Marine Inspection.

(R.S. 4405, as amended, 4421, as amended, 4426, as amended, 4462, as amended, 4463, as amended, 4464, as amended, 4488, as amended, sec. 26, 41 Stat. 998, as amended; 46 U.S.C. 375, 399, 404, 416, 222, 451, 481, 882)

§ 176.01-10 How to obtain or renew.

(a) The certificate of inspection shall be obtained or renewed by making application for inspection on Form CG-3752, Application for Inspection of Small Passenger Vessel, to the Coast Guard Marine Inspection Office located in, or nearest the port at which the inspection is to be made. The application forms are available at any local Coast Guard Marine Inspection Office.

(b) The application for initial inspection of a vessel being newly constructed or converted shall be submitted prior to the start of such construction or conversion. Information and requirements on plans are in Subpart 177.05 of this subchapter.

(c) The construction, arrangement and equipment of all vessels shall be acceptable to the cognizant Officer in Charge, Marine Inspection, as a prerequisite of the issuance of the initial certificate of inspection. Such acceptance will be based on the information, specifications, drawings and calculations available to the Officer in Charge, Ma-

rine Inspection, and on the successful completion of an initial inspection for certification.

(d) Certificates of inspection will be renewed by the issuance of new certificates of inspection. Such renewal will normally be made triennially upon expiration of the old certificate of inspection but may be made at any time within the three years upon proper application.

(e) The condition of the vessel and its equipment shall be acceptable to the cognizant Officer in Charge, Marine Inspection, as a prerequisite of the certificate of inspection renewal. Such acceptance will be based on the condition as found at the periodic inspection for certification.

§ 176.01-15 Period of validity.

(a) A certificate of inspection will be issued for a period of three years, and will remain valid for such period unless renewed, revoked, suspended or surrendered.

(b) A certificate of inspection may be revoked, or suspended and withdrawn by the Officer in Charge, Marine Inspection, at any time for non-compliance with the provisions of this subchapter or requirements established thereunder.

§ 176.01-20 Routes permitted.

(a) The area of operation permitted each vessel shall be as designated by the Officer in Charge, Marine Inspection. Such area of operation shall be described on the certificate of inspection under the major headings "ocean," "coastwise," "Great Lakes," "lakes, bays, and sounds," or "rivers," as applicable. Further limitations imposed or extensions granted shall be described by reference to bodies of waters, geographical points, distance from geographical points, distances from land, depths of channel, seasonal limitations, etc.

(b) Operation of vessels on routes of lesser severity than those specifically described or designated on the certificate of inspection will be permitted. The general order of severity is considered to be ocean; coastwise; Great Lakes; lakes, bays, and sounds; and rivers. Differences in local conditions of operation, as referred to in paragraph (a) of this section, may need to be taken into account.

(c) Non-self-propelled vessels shall, in general, be limited to routes other than "ocean" or "coastwise."

§ 176.01-25 Passengers permitted.

(a) The maximum number of passengers permitted to be carried on a vessel shall be as determined by the Officer in Charge, Marine Inspection, having jurisdiction and shall be stated on the vessel's certificate of inspection.

(R.S. 4405, as amended, 4421, as amended, 4426, as amended, 4462, as amended, 4463, as amended, 4464, as amended, 4488, as amended, sec. 26, 41 Stat. 998, as amended; 46 U.S.C. 375, 399, 404, 416, 222, 451, 481, 882)

(b) The maximum number of passengers permitted on any vessel of reasonable design and proportions may be determined by length of rail criteria, deck area criteria, or fixed seating criteria, whichever permits the greatest number.

Where seats are provided in one passenger space and are not provided in other passenger spaces, the number of passengers permitted may be the sum of the number permitted by the seating criteria for the space having seats and the number permitted by the area criteria for the space having no seats. For vessels operating on short runs on protected waters such as ferry vessels, the Officer in Charge, Marine Inspection may give special consideration to increases in passenger allowances.

(1) *Length of rail criteria.* One passenger may be permitted for each 30 inches of rail space available to the passengers at the vessel's sides and across the transom.

(2) *Deck area criteria.* One passenger may be permitted for each 10 square feet of deck area available for the passengers' use. In computing such deck area, the areas occupied by the following shall be excluded:

- (i) Concession stands.
- (ii) Toilets and washrooms.
- (iii) Companionways, stairways, etc.
- (iv) Spaces occupied by and necessary for handling lifesaving equipment.
- (v) Spaces below deck which are unsuitable for passengers and which would not normally be used by passengers.
- (vi) Interior passageways less than 30 inches wide and passageways on the open deck less than 18 inches wide.

(3) *Fixed seating criteria.* One passenger may be permitted for each 18 inches of width of fixed seating provided. Regulations covering the installation of fixed seating are contained in § 177.30-1 (c) of this subchapter.

(c) Notwithstanding the number of passengers permitted by any of the criteria described in paragraph (b) of this section, the maximum number may be further limited by stability or subdivision considerations.

§ 176.01-30 Permit to carry excursion party.

(a) A vessel may be permitted to engage in a temporary excursion operation with a greater number of passengers and/or on a more extended route than permitted by its certificate of inspection when in the opinion of the Officer in Charge, Marine Inspection, the operation can be undertaken with safety. A "Permit To Carry Excursion Party," Form CG-949, shall be a prerequisite of such an operation.

(b) Any Officer in Charge, Marine Inspection, having jurisdiction may issue a permit to carry excursion party upon the written application of the operator, owner or agent of the vessel.

(c) An inspection either general or partial, depending upon the circumstances, may be made prior to the issuance of a permit to carry excursion party.

(d) The permit will state upon its face the conditions under which it is issued, the number of passengers the vessel may carry, the crew required, any additional lifesaving or safety equipment which will be required, the route for which the permit is granted, and the dates on which the permit will be valid.

(e) The permit when used shall be carried with the certificate of inspection. Any vessel to which a permit to carry excursion party has been issued shall, during the tenure of the permit, be in full compliance with the terms of its certificate of inspection as supplemented by such permit.

(R.S. 4405, as amended, 4426, as amended, 4462, as amended, 4466, as amended, 4488, as amended; 46 U.S.C. 375, 404, 416, 453, 481)

§ 176.01-35 Certificate of inspection amendment.

(a) A certificate amending a valid certificate of inspection may be issued at any time by any Officer in Charge, Marine Inspection, having jurisdiction over the vessel. The "Certificate of Inspection Amendment," Form CG-858, may be issued to authorize and record a change in the character of a vessel or in her route, equipment, etc., as specified in her certificate of inspection previously issued and currently valid.

(b) Request for a certificate of inspection amendment may be made to the Officer in Charge, Marine Inspection, having jurisdiction, by the operator, owner, or agent of the vessel.

(c) An inspection, either general or partial depending on the circumstances, may be made prior to the issuance of a certificate of inspection amendment.

(d) A certificate of inspection amendment, when issued, shall become a part of the certificate which it amends, and shall be carried with the certificate of inspection.

(R.S. 4405, as amended, 4421, as amended, 4426, as amended, 4462, as amended; 46 U.S.C. 375, 399, 404, 416)

§ 176.01-40 Posting.

(a) The certificate of inspection shall, in general, be framed under glass or other transparent material and posted in a conspicuous place. When the framing of the certificate would be impracticable, the certificate of inspection shall be kept on board to be shown on demand.

(R.S. 4423, as amended; 46 U.S.C. 400)

Subpart 176.05—Inspection for Certification

§ 176.05-1 General.

(a) An inspection for certification is a prerequisite of the issuance of a certificate of inspection. Such inspection will be made only upon the written application of the operator, owner or agent on Form CG-3752 to the Officer in Charge, Marine Inspection, having jurisdiction.

(R.S. 4405, as amended, 4417, as amended, 4418, as amended, 4426, as amended, 4462, as amended; 46 U.S.C. 375, 391, 392, 404, 416)

§ 176.05-5 Initial inspection for certification.

(a) The initial inspection shall include an inspection of the structure, machinery and equipment, including the outside of the vessel's bottom.

(b) In the case of a vessel being newly constructed or converted, the initial inspection may consist of a series of inspections during the construction or conversion.

(c) The inspection shall be such as to insure that the arrangement, materials and scantlings of the structure, piping, main and auxiliary machinery, electrical installations, lifesaving appliances, fire extinguishing equipment and all other equipment comply with the regulations in this subchapter to the extent they are applicable to the vessel being inspected, and are in accordance with such approved plans as may be required by Subpart 176.05 of this subchapter. The inspection shall also be such as to insure that the materials, workmanship and condition of all parts of the vessel and its machinery and equipment are in all respects satisfactory for the service intended.

§ 176.05-10 Subsequent inspections for certification.

(a) An inspection for renewal of a certificate of inspection shall include an inspection of the structure, machinery and equipment. The inspection shall be such as to insure that the vessel, as regards the structure, piping, main and auxiliary machinery, electrical installations, lifesaving appliances, fire extinguishing equipment and other equipment, is in satisfactory condition and fit for the service for which it is intended and that it complies with the regulations in this subchapter to the extent that such regulations are applicable to the vessel being inspected.

Subpart 176.10—Reinspection

§ 176.10-1 When made.

(a) At least two reinspections shall be made on each vessel within each triennial inspection period. When possible these reinspections will be made at approximately equal intervals between triennial inspections for certification, but may be made at such other times as may be required by the Officer in Charge, Marine Inspection.

(R.S. 4405, as amended, 4426, as amended, 4453, as amended, 4462, as amended; 46 U.S.C. 375, 404, 435, 416)

§ 176.10-5 Scope.

(a) In general, the scope of the reinspection shall be the same as for the triennial inspection for certification, but will be in less detail unless it is determined that a major change has occurred since the last inspection for certification.

(b) The marine inspector shall examine all accessible parts of the vessel's hull, machinery, and equipment to be assured that they are in a satisfactory condition.

Subpart 176.15—Drydocking or Hauling Out

§ 176.15-1 When required.

(a) All vessels shall be drydocked or hauled out and made available for examination, and shall be examined by a marine inspector within the periods set forth in this paragraph, depending on the service.

(1) Each vessel shall be drydocked or hauled out at intervals not to exceed 18 months if it operated in salt water a total of more than 9 months in the 18-month period since it was last drydocked or hauled out.

(2) Each vessel shall be drydocked or hauled out at intervals not to exceed 36 months if it operated in salt water a total of 6 months or less in each 12-month period since it was last drydocked or hauled out. When a vessel exceeds this total amount of service in salt water in any 12-month period since it was last drydocked or hauled out, it shall be drydocked or hauled out within 6 months after the end of that period or within the 36-month interval, whichever is earlier.

(3) Each vessel shall be drydocked or hauled out at intervals not to exceed 60 months if it operates exclusively in fresh water.

(b) Whenever a vessel is drydocked or hauled out in excess of the requirements of this section, an examination may be made by a marine inspector.

§ 176.15-5 Scope of drydock examination.

(a) A periodic examination made in accordance with the requirements of this subpart shall include the underwater hull and appendages, propellers, shafting, stern bearings, rudders, through-hull fittings, sea valves and strainers, and shall be of sufficient scope to determine that these items are in a satisfactory condition for the service intended.

(1) Any part or all of the propeller shafting may be required to be drawn for examination of the shafting and stern bearing.

(2) Sea chests, sea valves, and sea strainers may be required to be opened for internal examination.

(b) Drydock examinations in excess of the periodic examinations required by this subpart may be of the same scope as a periodic examination or may be a partial examination depending on the circumstances.

§ 176.15-10 Notice.

(a) Whenever any vessel is to be drydocked or hauled out in compliance with § 176.15-1, or to carry out major repairs or alterations affecting the safety or seaworthiness of the vessel, it shall be the duty of the person in charge of the vessel, the owner, or the agent to report the same, together with the nature of any repairs or alterations contemplated, as far in advance as practicable to the Officer in Charge, Marine Inspection, in order that an examination may be made by a marine inspector. Such notification may be made verbally at the Marine Inspection Office of the Officer in Charge, Marine Inspection, having jurisdiction, or it may be made by telephone, telegraph, letter or similar means of communication.

(b) Whenever a vessel is drydocked or hauled out, in excess of the requirements of this subpart, for the purpose of minor repairs, such as changing a propeller, painting or cleaning the hull, no report need be made to the Officer in Charge, Marine Inspection.

Subpart 176.20—Repairs and Alterations

§ 176.20-1 Permission required.

(a) No major repairs or alterations affecting the safety of the vessel with regard to the hull, machinery, or equipment, shall be made without the knowl-

edge and approval of the Officer in Charge, Marine Inspection.

(b) Proposed alterations shall be approved by the Officer in Charge, Marine Inspection, before work is started. Drawings, sketches or written specifications describing the alterations in detail may be required by the Officer in Charge, Marine Inspection.

(c) Drawings will not be required for repairs or replacements in kind.

§ 176.20-5 Inspection required.

(a) An inspection, either general or partial, depending upon the circumstances, may be made whenever any major repairs or alterations are undertaken.

Subpart 176.25—Material Inspections

§ 176.25-1 Inspection standards.

(a) Vessels shall be inspected for compliance with the standards required by this subchapter. For items not covered by standards in this subchapter, inspection shall be in accordance with standards acceptable to the Officer in Charge, Marine Inspection, as good marine practice.

(R.S. 4405, as amended, 4417, as amended, 4418, as amended, 4426, as amended, 4462, as amended, 4488, as amended; 46 U.S.C. 375, 391, 392, 404, 416, 481)

(b) In the application of inspection standards due consideration will be given to the hazards involved in the operation permitted by a vessel's certificate of inspection. Thus the standards may vary in accordance with the vessel's area of operation or any other operational restrictions or limitations.

(c) The published standards of recognized classification societies (such as the American Bureau of Shipping and Lloyd's Register of Shipping) and other recognized safety associations (such as the National Fire Protection Association) may be used as a guide in the inspection of vessels insofar as such standards do not conflict with the requirements of this subchapter.

§ 176.25-5 Hull.

(a) At each initial and subsequent inspection for certification, the marine inspector shall view the vessel afloat and shall conduct the following tests and inspections of the hull structure and its appurtenances:

(1) Examine all accessible parts of the exterior and interior of the hull, the watertight bulkheads, and weather deck. Where the internals of the vessel are completely concealed, sections of the lining or ceiling may be removed or the parts otherwise probed or exposed so that the marine inspector may satisfy himself as to the condition of the hull structure.

(2) Examine and test by operation all watertight closures in the hull, decks and bulkheads.

(3) Check the condition of the superstructure, flying bridge, masts, stacks, fishing platforms and similar arrangements constructed on the hull. In sailing vessels inspect all spars, standing rigging, running rigging, blocks, fittings, and sails.

(4) Inspect all railings and bulwarks and their attachment to the hull struc-

ture. Special attention is to be paid to insure that guards or rails are provided in all dangerous places.

(5) Examine all weathertight closures above weather deck and inspect the provisions for drainage of sea water from the exposed decks.

(R.S. 4405, as amended, 4417, as amended, 4426, as amended, 4462, as amended; 46 U.S.C. 375, 391, 404, 416)

§ 176.25-10 Machinery.

(a) At each initial and subsequent inspection for certification the marine inspector shall examine and test the following items to the extent necessary to determine that they are in proper operating condition and fit for the service for which they are intended:

(1) *Main propulsion machinery.* The marine inspector may require that the main propulsion machinery be operated both ahead and astern. The attached auxiliary machinery and cooling water system shall be checked.

(2) *Engine starting system.* Alternate methods of starting shall be checked.

(3) *Engine control mechanisms.* Such mechanisms shall be tested by operation and examined, visually, throughout their length.

(4) *Auxiliary machinery.* All machinery essential to the routine operation of the vessel shall be checked.

(5) *Fuel systems.* Tanks, tank vents and other appurtenances, piping and pipe fittings shall be checked. The fuel systems for the main propulsion engines, all auxiliaries and all other fuel systems installed shall be checked. All valves in the fuel lines shall be tested by operation locally and at remote operating positions.

(6) *Sea valves and bulkhead closure valves.* All overboard discharge and intake valves shall be checked.

(7) *Bilge and drainage systems.* The means provided for pumping bilges shall be tested by operation. All suction strainers shall be examined.

(b) At all inspections special attention shall be paid to insure that no fire hazards exist and that guards or protective devices are provided in all hazardous places.

(R.S. 4405, as amended, 4418, as amended, 4426, as amended, 4462, as amended; 46 U.S.C. 375, 392, 404, 416)

§ 176.25-15 Electrical.

(a) At each initial and subsequent inspection for certification the marine inspector shall examine and test the following items to the extent necessary to determine that they are in proper operating condition, safe electrical condition, and fit for the service for which they are intended:

(1) *Electrical cable.* The cable shall be examined as far as practicable without undue disturbance of the cable or electrical apparatus.

(2) *Overload or circuit protective devices.* Circuit breakers shall be tested by manual operation and fuses shall be examined visually. The ratings of fuses shall be checked to determine suitability for the service intended.

(3) *Rotating machinery.* Rotating electrical machinery essential to the

routine operation of the vessel shall be checked.

(4) *Generators, etc.* All generators, motors, lighting fixtures and circuit interrupting devices located in spaces or areas which may contain flammable vapors shall be checked.

(5) *Storage batteries.* Batteries shall be checked for condition and security of stowage.

(6) *Fire protective devices.* Electrical apparatus which operates as part of, or in conjunction with, a fire protective device installed on board the vessel shall be tested by operation. The test shall be applied in the same manner as, or in a manner intended to simulate, the actual operation in case of fire.

(R.S. 4405, as amended, 4418, as amended, 4426, as amended, 4462, as amended; 46 U.S.C. 375, 392, 404, 416)

§ 176.25-20 Lifesaving equipment.

(a) At each initial and subsequent inspection for certification and reinspection the marine inspector shall inspect all lifesaving equipment to determine its serviceability.

(b) Life preservers, if found to be of approved type and in good condition, shall be stamped "Passed", together with the date, the port and the marine inspector's initials.

(R.S. 4405, as amended, 4426, as amended, 4462, as amended, 4488, as amended, 4491, as amended; 46 U.S.C. 375, 404, 416, 481, 489)

§ 176.25-25 Fire extinguishing equipment.

(a) At each initial and subsequent inspection for certification and reinspection the firefighting equipment of all vessels shall be inspected and all deficiencies found shall be corrected. The marine inspector shall conduct the following examinations and tests:

(1) The fire pump shall be tested and the fire hose shall be subjected to the available fire pump pressure.

(2) All hand portable fire extinguishers and semi-portable fire extinguishing systems shall be checked as noted in Table 176.25-25(a) (2), and in addition shall be examined for excessive corrosion and general condition.

(3) All cylinders of fixed carbon dioxide systems shall be weighed and if the weight loss exceeds 10 percent of the weight of the charge, they shall be recharged. All cylinders shall be examined externally and if excessive corrosion is found they shall be replaced.

TABLE 176.25-25(a) (2)

Type unit	Test
Soda acid	Discharge. Clean hose and inside of extinguisher thoroughly. Recharge.
Foam	Discharge. Clean hose and inside of extinguisher thoroughly. Recharge.
Pump tank (water or antifreeze).	Discharge. Clean hose and inside of extinguisher thoroughly. Recharge with clean water or antifreeze.
Cartridge operated (water, antifreeze or loaded stream).	Examine pressure cartridge and replace if end is punctured or if cartridge is otherwise determined to have leaked or to be in unsuitable condition. Remove liquid, clean hose and inside of extinguisher thoroughly. Recharge with clean water, solution, or antifreeze. Insert charged cartridge.

TABLE 176.25-25(a) (2)—Continued

Type unit	Test
Carbon dioxide	Weigh cylinders. Recharge if weight loss exceeds 10 percent of weight of charge. Inspect hose and nozzle to be sure they are clear.
Dry chemical (cartridge-operated type).	Examine pressure cartridge and replace if end is punctured or if cartridge is otherwise determined to have leaked or to be in unsuitable condition. Inspect hose and nozzle to see if they are clear. Insert charged cartridge. Be sure dry chemical is free-flowing (not caked) and chamber contains full charge.
Dry chemical (stored pressure type).	See that pressure gage is in operating range. If not, or if seal is broken, weigh or otherwise determine that full charge of dry chemical is in extinguisher. Recharge if pressure is low or if dry chemical is needed.
Vaporizing liquid ¹ (pump type).	Pump a few strokes into clean pail and replace liquid. Keep water out of extinguisher or liquid. Keep extinguisher completely full of liquid.
Vaporizing liquid ¹ (stored pressure type).	See that pressure gage is in operating range. Weigh or check liquid level to determine that full charge of liquid is in extinguisher. Recharge if pressure is low or if liquid is needed.

¹ Vaporizing-liquid type fire extinguishers containing carbon tetrachloride or chlorobromomethane or other toxic vaporizing liquids shall be removed from all vessels on or before Jan. 1, 1962.

(b) During the inspection for certification and reinspection, all or any part of the fire apparatus may be service tested.

(c) In addition to the other requirements of this section, the carbon dioxide cylinders of all portable and semi-portable extinguishers and fixed systems shall be tested and marked in accordance with the regulations of the Interstate Commerce Commission, as noted in § 147.04-1 of Subchapter N (Explosives or Other Dangerous Articles or Substances and Combustible Liquids on Board Vessels) of this chapter.

NOTE: Section 147.04-1 of Subchapter N of this chapter includes requirements that such cylinders shall be retested and re-marked under the following conditions: (1) whenever a cylinder is recharged or for any cause removed from a vessel subsequent to 5 years from the latest test date stamped on the shoulder of the cylinder; or, (2) Whenever a cylinder remains in place on a vessel for 12 years from the latest test date stamped on the shoulder of the cylinder. Cylinders retested under any of the above conditions shall have new or renewed valve and safety relief devices of the proper design installed in the cylinder.

(R.S. 4405, as amended, 4426, as amended, 4462, as amended, 4472, as amended, 4488, as amended, 4491, as amended; 46 U.S.C. 375, 404, 416, 170, 481, 489)

§ 176.25-30 Pressure vessels.

(a) At each initial and subsequent inspection for certification the marine inspector shall examine and test all boilers and unfired pressure vessels to the extent necessary to determine that their condition is satisfactory and that they are fit for the service for which intended.

(R.S. 4405, as amended, 4418, as amended, 4426, as amended, 4433, as amended, 4462, as amended; 46 U.S.C. 375, 392, 404, 411)

(b) At each inspection for certification after the initial inspection, the

following examinations and tests shall be held:

(1) All boilers and unfired pressure vessels shall be examined under operating conditions.

(2) The setting of safety valves or relief valves on boilers and unfired pressure vessels shall be checked.

(3) Unfired pressure vessels, which are fitted with inspection openings, shall be examined internally, except that tubular heat exchangers, hydraulic accumulators and those used in refrigeration service need not be examined internally.

(4) All unfired pressure vessels, other than those exempt by the provisions of this paragraph, shall be subjected to a hydrostatic test $1\frac{1}{4}$ times the maximum allowable pressure.

(5) The following unfired pressure vessels will not normally be subjected to a hydrostatic test:

(i) Tubular heat exchangers.

(ii) Pressure vessels used in refrigeration service.

(iii) Hydraulic accumulators.

(iv) Unfired pressure vessels which have been satisfactorily examined internally by a marine inspector and in which no defects have been found which impair the safety of the pressure vessel.

(v) Unfired pressure vessels having an internal volume of not more than 5 cubic feet and a maximum allowable pressure of not more than 100 pounds per square inch.

(vi) Compression tanks containing water under pressure, including those containing an air cushion, subject to pressures not exceeding 100 pounds per square inch and temperatures not exceeding 200 degrees F., except those fitted with permanent air charging lines.

(vii) All unfired pressure vessels having a maximum allowable working pressure not exceeding 15 pounds per square inch.

(c) Main propulsion boilers, auxiliary boilers, and unfired pressure vessels containing liquefied compressed gases or hazardous liquids, shall be given special consideration and shall be subjected to such tests and inspections as deemed necessary and specified by the Officer in Charge, Marine Inspection, to insure that they are in a safe condition. Periodic tests and examinations shall be as described in Part 61 of Subchapter F (Marine Engineering) of this chapter, except heating boilers as defined in Part 53 of Subchapter F of this chapter shall be tested or examined every three years.

§ 176.25-35 Steering apparatus.

(a) At each initial and subsequent inspection for certification and reinspection the marine inspector shall examine and test the main and auxiliary steering apparatus to the extent necessary to determine that its condition is satisfactory and that it is fit for the service intended. The main and auxiliary steering apparatus shall be tested by operation and the inspector shall examine the mechanism thereof throughout its length.

(R.S. 4405, as amended, 4417, as amended, 4418, as amended, 4426, as amended, 4462, as amended; 46 U.S.C. 375, 391, 392, 404, 416)

§ 176.25-40 Miscellaneous systems and equipment.

(a) At each initial and subsequent inspection for certification and reinspection the inspector shall examine and test all items in the ship's outfit, such as ground tackle, navigation lights, compass, etc., which are required to be carried by the regulations in this subchapter. Such examination and test shall be to the extent necessary to determine that the condition of the item is satisfactory and that it is fit for the service intended.

(b) Approved work vests, where carried, shall be inspected as provided in § 184.40-15 of this subchapter.

(R.S. 4405, as amended, 4417, as amended, 4418, as amended, 4426, as amended, 4462, as amended, 4488, as amended, 4491, as amended; 46 U.S.C. 375, 391, 392, 404, 416, 481, 489)

§ 176.25-45 Sanitary inspection.

(a) At each initial and subsequent inspection for certification and reinspection the marine inspector shall examine the passenger and crew quarters, toilet and washing spaces, galleys, serving pantries, lockers, etc., to determine that they are serviceable and in a sanitary condition.

§ 176.25-50 Unsafe practices.

(a) At each initial and subsequent inspection for certification, reinspection and at every other vessel inspection the marine inspector shall require that all observed unsafe practices and hazardous situations be corrected.

(b) At each inspection for certification and reinspection the marine inspector shall examine the bilges and other spaces to see that there is no accumulation of oil or other matter which might create a fire hazard.

Subpart 176.30—Limitations of Inspections

§ 176.30-1 Marine inspector not limited.

(a) Nothing in this part shall be construed as limiting the marine inspector from making such tests or inspections as are reasonable and practicable to be assured of the seaworthiness of the vessel.

Subpart 176.35—International Convention for Safety of Life at Sea, 1948

§ 176.35-1 Vessels subject to requirements.

(a) Except as otherwise provided in this section, all mechanically propelled vessels registered in the United States or the Commonwealth of Puerto Rico, which carry more than 12 passengers on an international voyage shall be in compliance with the applicable requirements of the International Convention for Safety of Life at Sea, 1948.

(b) The International Convention for Safety of Life at Sea, 1948, does not apply to ships solely navigating the Great Lakes of North America and their connecting and tributary waters as far east as the lower exit of the Lachine Canal at

Montreal in the Province of Quebec, Canada.

(E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.)

§ 176.35-5 International voyage.

(a) The term "international voyage" as applied under the International Convention for Safety of Life at Sea, 1948, means a voyage from a country to which the present Convention applies to a port outside such country, or conversely.

(b) Any Officer in Charge, Marine Inspection, can furnish information as to the countries to which the Convention applies. These countries include the Continental United States, Alaska, Hawaii, and the Commonwealth of Puerto Rico.

(E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.)

§ 176.35-10 Safety certificate.

(a) All United States flag vessels subject to the International Convention for Safety of Life at Sea, 1948, and found to be in compliance with the applicable requirements of such Convention shall be issued and keep posted a "Safety Certificate," and where applicable an "Exemption Certificate," in accordance with the requirements of Chapter I, Regulations 11 through 19, of the Convention.

(E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.)

PART 177—CONSTRUCTION AND ARRANGEMENT

Subpart 177.01—Application and Intent

Sec.

177.01-1 Application.

177.01-5 Intent.

Subpart 177.05—Plans

177.05-1 Plans required for vessels carrying not more than 150 passengers.

177.05-3 Plans required for vessels carrying more than 150 passengers, and certain other vessels.

177.05-5 Plans for sister vessels.

Subpart 177.10—Hull Structure

177.10-1 Structural standards.

177.10-5 Fire protection.

Subpart 177.15—Means of Escape

177.15-1 Requirements.

Subpart 177.20—Ventilation (Other Than Machinery Spaces)

177.20-1 Ventilation for closed spaces.

177.20-5 Ventilation for crew quarters and passenger spaces.

Subpart 177.25—Crew Accommodations

177.25-1 Where required.

Subpart 177.30—Passenger Accommodations

177.30-1 Seating.

177.30-5 Toilet facilities.

Subpart 177.35—Rails and Guards

177.35-1 Deck rails.

177.35-5 Storm rails.

177.35-10 Vessels carrying vehicles.

177.35-15 Guards in hazardous places.

AUTHORITY: §§ 177.01-1 to 177.35-15 issued under sec. 3, 70 Stat. 152; 46 U.S.C. 390b. Other statutory provisions interpreted or applied are cited to text in parentheses.

Subpart 177.01—Application and Intent

§ 177.01-1 Application.

(a) The provisions of this part shall apply to all vessels contracted for on or after June 1, 1958. Vessels contracted for prior to that date shall meet the requirements of this part insofar as is deemed reasonable and practicable by the Officer in Charge, Marine Inspection.

§ 177.01-5 Intent.

(a) The intent of this part is to insure that the scantlings, material, fastenings, workmanship and arrangement of each vessel are such as to provide for safe operation in accordance with the terms of its certificate of inspection. Primary consideration shall be given to the provision of a seaworthy hull, protection against fire, means of escape in case of sudden unexpected casualty, guards and rails in hazardous places, ventilation of closed spaces, and necessary facilities for passengers and crew.

Subpart 177.05—Plans

§ 177.05-1 Plans required for vessels carrying not more than 150 passengers.

(a) Except as otherwise provided in paragraphs (c) and (d) of this section and § 177.05-5, the owner or builder shall, prior to the start of construction if practicable, or in any case prior to the initial inspection of the vessel, submit for approval by the Officer in Charge, Marine Inspection, of the inspection zone where the vessel is to be inspected, at least one copy of each of the following plans:

- (1) Midship section.
- (2) Outboard profile.
- (3) Inboard profile.
- (4) Arrangement of decks.
- (5) Machinery installation.
- (6) Electrical installation.
- (7) Fuel tanks.
- (8) Piping systems.
- (9) Hull penetrations and shell connections.

(b) Additional prints of the required plans may, at the owner's option, be submitted for approval. Such additional copies will be stamped and returned for the owner's records.

(c) The Officer in Charge, Marine Inspection, may accept specifications, sketches, photographs, line drawings or written descriptions in lieu of any or all of the required drawings provided the required information is adequately detailed thereon.

(d) The Officer in Charge, Marine Inspection, need not require some or all of the plans called for by paragraph (a) of this section if, to his own knowledge, the design and construction of the vessel are of a type which has a proven record of safe operation in similar service upon similar waters.

§ 177.05-3 Plans required for vessels carrying more than 150 passengers, and certain other vessels.

(a) The owner or builder shall, prior to the start of construction if practicable, or in any case prior to the initial inspection of the vessel, submit for ap-

proval to the Officer in Charge, Marine Inspection, of the inspection zone where the vessel is to be inspected, at least two copies of each of the plans listed in § 177.05-1(a). Prior to the initial certification, the owner or builder shall submit for approval by the Commandant two copies of each of the following plans:

- (1) Lines and offsets.
- (2) Curves of form.
- (3) Capacities of the tanks, including sizes and locations in vessel.
- (b) Additional calculations and data shall be submitted as required by §§ 178.20-5(a) and 179.10-5(a) of this subchapter.

(c) If a vessel carrying not more than 150 passengers for any reason is required or elects to have a stability test according to the standards and procedures set forth in Subchapter H; the additional plans listed in paragraph (a) of this section shall be submitted together with the calculations and data required by § 179.10-5(a) of this subchapter.

(d) If a vessel carrying not more than 150 passengers for any reason is required or elects to meet one compartment subdivision and damage stability requirements calculated in accordance with Subchapter H (Passenger Vessels) of this chapter, the additional plans listed in paragraph (a) of this section shall be submitted together with the calculations and data required by § 178.20-5(a) of this subchapter.

(e) Where internal buoyancy is installed in accordance with § 178.10-1(b) of this subchapter, the plans and calculations demonstrating compliance with such paragraph shall be submitted for approval.

(R.S. 4405, as amended, 4426, as amended, 4462, as amended, 4488, as amended, sec. 5, 49 Stat. 1384, as amended; 46 U.S.C. 369, 375, 404, 416, 481)

§ 177.05-5 Plans for sister vessels.

(a) Plans will not be required for any vessel which is a sister ship to a vessel, the approved plans for which are already on file at any Marine Inspection Office: *Provided*, That the owner of the plans authorizes their use for the new construction.

Subpart 177.10—Hull Structure

§ 177.10-1 Structural standards.

(a) In general, compliance with the standards established by a recognized classification society¹ will be considered satisfactory evidence of the structural adequacy of a vessel. When scantlings differ from such standards and it can be demonstrated that craft approximating the same size, power and displacement have been built to such scantlings and have been in satisfactory service insofar as structural adequacy is concerned for a period of at least 5 years, such scantlings may be approved. A detailed structural analysis may be required for specialized types or integral parts thereof.

¹ Lloyds' "Rules for the Construction and Classification of Composite and Steel Yachts" and Lloyds' "Rules for the Construction and Classification of Wood Yachts" are acceptable for this purpose.

(b) Special consideration will be given to:

(1) The structural requirements of vessels not contemplated by the standards of a recognized classification society; or,

(2) The use of materials not specifically included in these standards.

§ 177.10-5 Fire protection.

(a) The general construction of the vessel shall be such as to minimize fire hazards insofar as reasonable and practicable. Vessels of 100 gross tons and over shall meet the requirements of Subpart 72.05 of subchapter H (Passenger Vessels) of this chapter. The application of these requirements to specific vessels shall be as determined by the Officer in Charge, Marine Inspection.

(R.S. 4405, as amended, 4426, as amended, 4462, as amended, 4488, as amended, sec. 5, 49 Stat. 1384, as amended; 46 U.S.C. 375, 404, 416, 481, 369)

(b) Internal combustion engine exhausts, boiler and galley uptakes, and similar sources of ignition shall be kept clear of and suitably insulated from any woodwork or other combustible matter.

(c) Lamp, paint, and oil lockers and similar compartments shall be constructed of metal or lined with metal.

Subpart 177.15—Means of Escape

§ 177.15-1 Requirements.

(a) Except as otherwise provided in this section, all vessels shall be provided with not less than two avenues of escape from all general areas accessible to the passengers or where the crew may be quartered or normally employed, so located that if one is not available the other may be. At least one of the avenues of escape shall be independent of watertight doors. Windows and windshields of sufficient size and proper accessibility may be used as one avenue of escape.

(b) Where the length of the compartment is less than 12 feet, one vertical means of escape will be acceptable under the following conditions:

(1) There is no source of fire in the space, such as galley stove, heater, etc., and the vertical escape is remote from the engine or fuel tank space; or,

(2) The arrangement is such that the installation of two means of escape does not materially improve the safety of the vessel or those on board.

Subpart 177.20—Ventilation (Other Than Machinery Spaces)

§ 177.20-1 Ventilation for closed spaces.

(a) All enclosed spaces within the vessel shall be properly vented or ventilated. Where such openings would endanger the vessel under adverse weather conditions, means shall be provided to close them.

§ 177.20-5 Ventilation for crew quarters and passenger spaces.

(a) All crew and passenger spaces shall be adequately ventilated in a manner suitable to the purpose of the space.

Subpart 177.25—Crew Accommodations

§ 177.25-1 Where required.

(a) All vessels with crew members living on board shall be provided with crew accommodations of sufficient size, adequate construction, and with suitable equipment to provide for the protection and accommodation of the crew in a manner practicable for the size, facilities, and service of the vessel.

Subpart 177.30—Passenger Accommodations

§ 177.30-1 Seating.

(a) Seating accommodations for passengers are required to be provided only when the maximum number of passengers permitted has been determined by using the fixed seating criteria in § 176.01-25(b) of this subchapter.

(b) Where fixed seats are installed, the seat spacing shall be such as to provide for ready escape in case of fire or other casualty.

(c) Fixed seats shall be installed as follows, except that special consideration may be given in cases where it can be shown that escape over the side can be made readily through windows or other openings in the way of seats:

(1) Aisles not over 15 feet long shall be not less than 24 inches wide.

(2) Aisles over 15 feet long shall be not less than 30 inches wide.

(3) Where the seats are in rows the distance from seat front to seat front shall be not less than 30 inches.

(d) In general, portable or temporary seats shall be arranged as specified for fixed seating.

§ 177.30-5 Toilet facilities.

(a) Vessels shall be provided with toilets and wash basins in accordance with Table 177.30-5(a) except that vessels operating on short runs of approximately 30 minutes or less need not be fitted with toilets or wash basins.

TABLE 177.30-5(a)

Number of passengers	Toilets	Wash basins
49 and less.....	1.....	0.
Over 49..... (Men and women)	1 for men..... 1 for women.....	1 for men..... 1 for women.....
Over 49..... (Men only)	2.....	1.

(b) All toilets and wash basins provided shall be fitted with adequate plumbing. Facilities for men and women shall be in separate compartments.

Subpart 177.35—Rails and Guards

§ 177.35-1 Deck rails.

(a) Except as otherwise provided in this section, rails or equivalent protection shall be installed near the periphery of all weather decks accessible to passengers and crews. Where space limitations make deck rails impractical such as at narrow catwalks in way of deckhouse sides, hand grabs may be substituted.

(b) Rails shall consist of evenly spaced courses and the spacing between courses shall be not greater than 12

inches. The lower rail courses may not be required where all or part of the space below the upper rail course is fitted with a bulwark, chain link fencing, wire mesh, or the equivalent.

(c) On passenger decks of vessels engaged in a ferry or excursion type operation, rails shall be at least 42 inches high. The space below the rail shall be fitted with bulwarks, chain link fencing, wire mesh, or the equivalent.

(d) On sport fishing vessels where it can be shown that higher rails would interfere with the normal operation of the vessel, rails of at least 30 inches height may be permitted.

(e) Where the principal business of the vessel requires the discharge of personnel in a seaway, the peripheral rails may be wholly or partially omitted or reduced in height to not less than 30 inches. When such rails are omitted, center rails or other suitable hand holds shall be substituted therefor.

(f) All rails other than those noted in the preceding paragraphs, shall be at least 36 inches high.

(g) Sailing vessels, small vessels of the open launch type, and other vessels not specifically covered elsewhere in this section shall have such rails or equivalent protection as considered necessary by the Officer in Charge, Marine Inspection.

§ 177.35-5 Storm rails.

(a) Suitable storm rails or hand grabs shall be installed where necessary in all passageways, at deckhouse sides, and at ladders and hatches where passengers or crew might have normal access.

§ 177.35-10 Vessels carrying vehicles.

(a) On vessels carrying vehicles, suitable chains, cable, or other barriers shall be installed at the ends of the vehicle runways. In addition, suitable gates, rails, or other devices shall be installed as a continuation of the regularly required rails.

§ 177.35-15 Guards in hazardous places.

(a) Suitable covers, guards, or rails shall be installed in way of all exposed and hazardous places such as gears, machinery, etc.

PART 178—WATERTIGHT INTEGRITY AND SUBDIVISION

Subpart 178.01—Application

Sec.

178.01-1 General.

Subpart 178.05—Definitions of Terms Used in This Part

178.05-1 Bulkhead deck.

178.05-3 Watertight.

178.05-5 Weathertight.

178.05-7 Flush deck.

178.05-9 Cockpit.

178.05-11 Well deck.

178.05-13 Open boat.

178.05-15 Exposed waters.

178.05-17 Partially-protected waters.

178.05-19 Protected waters.

Subpart 178.10—Watertight Bulkheads Required

178.10-1 Requirements for vessels carrying more than 49 passengers.

178.10-5 Requirements for vessels carrying not more than 49 passengers in ocean or coastwise service.

Sec.

178.10-10 Requirements for vessels carrying not more than 49 passengers in other than ocean or coastwise service.

Subpart 178.15—Collision Bulkhead

178.15-1 Location.

178.15-3 Construction.

178.15-5 Double-ended ferries.

Subpart 178.20—Location of Watertight Bulkheads

178.20-1 Requirements for vessels carrying not more than 150 passengers.

178.20-5 Requirements for vessels carrying more than 150 passengers.

Subpart 178.25—Construction of Watertight Bulkheads

178.25-1 General.

Subpart 178.30—Drainage of Weather Decks

178.30-1 Flush decks.

178.30-3 Cockpits.

178.30-5 Well decks.

178.30-7 Open boats.

Subpart 178.35—Hatches and Coamings

178.35-1 General.

Subpart 178.40—Hull Penetrations and Shell Connections

178.40-1 General.

AUTHORITY: §§ 178.01-1 to 178.40-1 issued under sec. 3, 70 Stat. 152; 46 U.S.C. 390b.

Subpart 178.01—Application

§ 178.01-1 General.

(a) The provisions of this part shall apply to all vessels contracted for on or after June 1, 1958. Vessels contracted for prior to that date shall meet the requirements of this part insofar as is deemed reasonable and practicable by the Officer in Charge, Marine Inspection.

Subpart 178.05—Definitions of Terms Used in This Part

§ 178.05-1 Bulkhead deck.

(a) The bulkhead deck is the uppermost deck to which the transverse watertight bulkheads are carried.

§ 178.05-3 Watertight.

(a) An item so constructed as to effectively resist the passage of water, except for slight seepage, when subjected to a hose test with water at a pressure of 30 pounds per square inch from a one inch hose, or test equivalent thereto.

§ 178.05-5 Weathertight.

(a) An item so constructed as to effectively resist the passage of water to any appreciable degree under continuous exposure to driving rain or spray.

§ 178.05-7 Flush deck.

(a) A flush deck is a continuous weather deck located at the uppermost sheer line of the hull.

§ 178.05-9 Cockpit.

(a) A cockpit is an exposed recess in the weather deck of a vessel, extending not more than one-half the length of the vessel as defined in § 175.10-19 of this subchapter. A cockpit which extends more than one-half the length of the vessel shall be considered as a well deck. A recess is considered to be exposed unless it is completely enclosed by a super-

structure which is seaworthy for the waters upon which the vessel operates.

§ 178.05-11 Well deck.

(a) A well deck is a weather deck fitted with solid bulwarks such as would impede the drainage of solid water over the sides. If the freeboard to this deck, measured from the load waterline, is less than 10 inches the vessel shall be considered as an open boat for purposes of the subdivision, stability, and drainage requirements in this subchapter. The deck within the bulwarks is considered to be a weather deck unless it is completely enclosed by a superstructure which is seaworthy for the waters upon which the vessel operates.

§ 178.05-13 Open boat.

(a) An open boat is a vessel not protected from entry of water by means of a complete deck, or by a combination of a partial weather deck and a superstructure which is seaworthy for the waters upon which the vessel operates.

§ 178.05-15 Exposed waters.

(a) In general, exposed waters are all waters more than 20 miles from the mouth of a harbor of safe refuge and, also, any waters where, in the judgment of the Officer in Charge, Marine Inspection, local conditions of sea, or weather, or other circumstances create a special hazard requiring the maximum degree of seaworthiness afforded by the regulations in this subchapter.

§ 178.05-17 Partially protected waters.

(a) In general, partially protected waters are all waters within a radius of 20 miles from the mouth of a harbor of safe refuge.

§ 178.05-19 Protected waters.

(a) In general, protected waters are the waters of rivers, harbors and sheltered lakes.

Subpart 178.10—Watertight Bulkheads Required

§ 178.10-1 Requirements for vessels carrying more than 49 passengers.

(a) Except as otherwise provided in this section, all vessels carrying more than 49 passengers shall be fitted with a collision bulkhead and such additional transverse watertight bulkheads as are required to provide one compartment subdivision, i.e., so that the fully-loaded vessel shall remain afloat with positive stability with any one main compartment flooded. For location of the bulkheads to meet this standard, see Subpart 178.20.

(b) Vessels carrying more than 49 passengers but not more than 150 passengers may, in lieu of one compartment subdivision, be fitted with a collision bulkhead and sufficient air tankage or other internal buoyancy to maintain the fully-loaded vessel afloat with positive stability in the flooded condition.

§ 178.10-5 Requirements for vessels carrying not more than 49 passengers in ocean or coastwise service.

(a) Except as otherwise provided in this section, vessels carrying not more

than 49 passengers in ocean or coastwise service shall be fitted with a collision bulkhead.

(b) On vessels less than 40 feet in length as defined in § 175.10-19 of this subchapter, carrying not more than 49 passengers on partially-protected waters, the collision bulkhead may be omitted.

§ 178.10-10 Requirements for vessels carrying not more than 49 passengers in other than ocean or coastwise service.

(a) There are no requirements for transverse watertight bulkheads in vessels carrying not more than 49 passengers in other than ocean or coastwise service.

Subpart 178.15—Collision Bulkhead

§ 178.15-1 Location.

(a) A collision bulkhead, when required, shall be located not less than 5 percent and not more than 15 percent of the waterline length abaft the stem at the load waterline.

§ 178.15-3 Construction.

(a) The collision bulkhead shall be constructed in accordance with the provisions of subpart 178.25, except that it shall extend to the weather deck and that it shall never be fitted with a watertight door.

(b) On vessels not required to have one compartment subdivision, the collision bulkhead may have an opening not to exceed 12 inches between the top of the bulkhead and the underside of the weather deck, provided the remaining intact bulkhead is at least 36 inches deep.

§ 178.15-5 Double-ended ferries.

(a) Double-ended ferries, if required to have a collision bulkhead, shall have one at each end.

Subpart 178.20—Location of Watertight Bulkheads

§ 178.20-1 Requirements for vessels carrying not more than 150 passengers.

(a) For vessels carrying not more than 150 passengers, the required transverse watertight bulkheads shall be located so the lengths of the compartments do not exceed the maximum permissible lengths indicated by the following formula:

$$l = F \times f \times \frac{L}{D} \quad (1)$$

Where:

l —The maximum permissible length of the compartment in feet, except that, in no case, is this length to exceed one-third of the length of the vessel measured over the bulkhead deck.

f —Effective freeboard in feet. This is the mean of the freeboards measured from the load waterline to the top of the bulkhead deck at the side in way of the bulkheads bounding the compartment concerned. For vessels having a raised deck forward the height measurement in way of bulkheads forward of the break shall be taken to a straight line extending from the break to the raised deck at

the bow. For vessels which have portlights of the opening type, the height measurement in way of the bulkheads shall not be taken higher than up to a line at least three inches below the portlights in way thereof, and thence extending straight to the bulkhead deck at the bow and at the stern.

$\frac{L}{D}$ —Length-Depth Factor. This is the

length of the vessel in feet, measured over the bulkhead deck, divided by the depth, in feet, measured amidships of the vessel at a point one-quarter of the beam out from the centerline, from the inside of the planking or plating to the level of the top of the bulkhead deck at the side.

F —Floodable Length Factor for the compartment as listed in Table 178.20-1(a).

TABLE 178.20-1(a)

Midpoint of compartment in percent length from bow	Floodable length factor ¹
0-10.....	0.33
15.....	.33
20.....	.34
25.....	.36
30.....	.38
35.....	.43
40.....	.48
45.....	.54
50.....	.61
55.....	.63
60.....	.68
65.....	.73
70.....	.78
75.....	.84
80.....	.90
85.....	.97
90-100.....	1.04

¹ Intermediate values of floodable length factor can be obtained by interpolation.

(b) In lieu of complying with paragraph (a) of this section, any owner may, if he so desires, determine compliance with the subdivision and damaged stability requirements by direct calculations which takes into account the form and proportions of the hull. The details of such calculations shall be in accordance with the provisions of Parts 73 and 74 of Subchapter H (Passenger Vessels) of this chapter. These calculations and the supporting data shall be submitted to the Commandant for approval.

(c) In exceptional instances, where due to the form or design of the vessel, the Officer in Charge, Marine Inspection, does not consider the provisions of paragraph (a) of this section to be sufficiently applicable, he may require submission of direct calculations as described in paragraph (b) of this section.

§ 178.20-5 Requirements for vessels carrying more than 150 passengers.

(a) For vessels carrying more than 150 passengers, the location of the transverse watertight bulkheads to meet the requirements for subdivision and damaged stability, shall be determined by direct calculations which take into account the form and proportions of the hull. The details of such calculations shall be in accordance with the provisions of Part 73 and Part 74 of Subchapter H (Passenger Vessels) of this chapter. These calculations and the supporting data shall be submitted to the Commandant for approval.

Subpart 178.25—Construction of Watertight Bulkheads

§ 178.25-1 General.

(a) All bulkheads required by this part shall be of substantial construction so as to be capable of remaining watertight with a head of water to the top of the bulkhead.

(b) Watertight bulkheads shall extend intact to the bulkhead deck. Insofar as reasonable and practical, bulkheads shall be installed in one plane without steps or recesses.

(c) The number of penetrations in watertight bulkheads shall be reduced to a minimum. They shall be kept as high and as far inboard as practicable. Satisfactory means shall be provided for making such penetrations watertight.

(d) Sluice valves are not permitted in watertight bulkheads.

Subpart 178.30—Drainage of Weather Decks

§ 178.30-1 Flush decks.

(a) The weather deck on a flush deck vessel shall be watertight and shall have no obstruction to overboard drainage.

(b) Flush deck vessels may have solid bulwarks in the forward one-third length of the vessel provided such bulwarks do not form a well enclosed on all sides and provided that the foredeck has sufficient sheer to insure drainage aft.

§ 178.30-3 Cockpits.

(a) Cockpits shall be watertight except that companionways may be installed within the cockpit if they are fitted in accordance with the provisions of § 178.35-1(f). Also, on vessels operating on partially-protected and protected waters, ventilation openings may be provided along the inner periphery of the cockpit if they are located as high as possible in the side of the cockpit and the height of the opening does not exceed 2 inches.

(b) Cockpits shall be self-bailing. The scuppers installed for this purpose shall be located so as to be effective considering probable list and trim.

(c) The minimum combined area, in square inches, of the scuppers shall be determined by dividing the area of the cockpit, in square feet, by 10.

(d) Cockpit decks shall be located as high above the load waterline as practicable. On vessels operating on exposed or partially-protected waters, this height shall not be less than 10 inches, except that, cockpit decks of less than 10-inch freeboard may be approved by the Commandant upon demonstration that the subdivision, damaged stability and stability requirements of Subchapter H (Passenger Vessels) of this chapter are met satisfactorily.

§ 178.30-5 Well decks.

(a) Well decks shall be watertight.

(b) On vessels operating on exposed or partially-protected waters, for each running foot of bulwark in the after two-thirds length of the vessel there shall be provided not less than the amount of freeing port area specified in Table 178.30-5(b). The freeing ports

shall be located so as to be effective considering probable list and trim. If the vessel is of such a design that there is not free drainage from the foredeck aft, then freeing ports in accordance with the Table 178.30-5(b) shall be provided on the basis of the entire length of the bulwark fitted.

TABLE 178.30-5(b)

Depth of well or height of solid bulwark in inches	Freeing port area in square inches per foot of bulwark length ¹
6	2
12	4
18	8
24	12
30	16
36	20

¹ Intermediate values of freeing port area can be obtained by interpolation.

(c) On vessels operating on protected waters, the freeing port area draining well decks shall be at least equivalent to that required for a cockpit of the same size by § 178.30-3(c).

§ 178.30-7 Open boats.

(a) A deck within the hull of an open boat, if provided, shall drain to the bilge. Overboard drainage of the deck is not permitted.

Subpart 178.35—Hatches and Coamings

§ 178.35-1 General.

(a) Except as otherwise provided in this section, all hatches exposed to the weather shall be of watertight construction.

(b) Hatches on watertight trunks extending not less than 12 inches above the weather deck and hatches in cabin tops may be weathertight.

(c) On vessels operating on protected waters, all hatches may be weathertight.

(d) Covers or closures for all hatches on weather decks, trunks, or cabin trunks shall be fitted with securing devices and shall be attached to the hatch frame or coaming by hinges, captive chains, or other devices to prevent their coming adrift.

(e) Securing devices for required escape hatches which lead to living quarters or passenger accommodations shall be such that the hatch may be opened from either side.

(f) Openings in deck houses or in companionways which give access into the hull and which are located in cockpits, wells, or in exposed locations on flush decked vessels, shall be fitted with weathertight doors and shall have permanent watertight coamings in accordance with Table 178.35-1(f).

TABLE 178.35-1(f)

Route	Height of coaming
Exposed or partially protected	6 inches.
Protected	3 inches.

(1) If substantially constructed, hinged, watertight doors, equipped with dogs and gaskets, are provided where coamings are required, the height of the

coaming need only be sufficient to accommodate the door.

Subpart 178.40—Hull Penetrations and Shell Connections

§ 178.40-1 General.

(a) The number of openings in the vessel's sides below the weather deck shall be a minimum.

(b) Portlights which can be opened are not permitted in the vessel's sides or vessels operating on exposed or partially-protected waters except as follows:

(1) On vessels which are not required to meet the one compartment standard of subdivision, they may be permitted if the lower rim of each portlight is at least 30 inches above the load waterline.

(2) On vessels which are required to meet the one compartment standard of subdivision, they may be permitted if the lower rim of each portlight is at least 30 inches above the load water line. Additionally, in determining compliance with the one compartment standard, the portlights shall be treated in the manner set forth in § 178.20-1(a). If the subdivision is calculated as prescribed by Subchapter H (Passenger Vessels) of this chapter, the damage trim water lines shall be taken not less than 3 inches below the portlights.

(c) All portlights which are permitted in a vessel's sides on vessels operating on exposed or partially-protected waters, whether of the opening or the fixed type, shall be fitted with dead covers.

(d) All inlets and discharges led through the vessel's hull below a line drawn parallel to and not less than six inches above the load waterline shall be fitted with efficient and accessible means for preventing the accidental admission of water into the vessel in the event of fracture or failure of such pipes. Engine exhausts led through the hull are not required to have such means of closure. Cast iron hull connections or valves are not permitted. Plug cocks shall be constructed with satisfactory and positive means of preventing the plug from becoming loosened or removed from the body when the plug is operated. Cocks having plug locking arrangements depending on cotter pins are prohibited.

(e) Positive action valves or cocks located against the hull or as close as possible to the hull in way of intake and/or discharge piping will be acceptable provided they are readily accessible. Shutoff valves with positive means of closing from the weather deck will be required in way of hull connections which are inaccessible. The remote closure shall be labeled for identity and direction of closing.

PART 179—STABILITY

Subpart 179.01—Application

Sec.
179.01-1 General.

Subpart 179.05—Stability Test

179.05-1 When required.

Subpart 179.10—Stability Test Procedure

179.10-1 Procedure for vessels carrying not more than 150 passengers.

Sec.

- 179.10-3 Alternate procedure for vessels carrying not more than 150 passengers.
- 179.10-5 Procedure for vessels carrying more than 150 passengers.

Subpart 179.15—Alteration of Vessel

- 179.15-1 General.

Subpart 179.20—Stability Letter

- 179.20-1 Posting.
- 179.20-5 Conditions of operation.

AUTHORITY: §§ 179.01-1 to 179.20-5 issued under sec. 3, 70 Stat. 152; 46 U.S.C. 390b.

Subpart 179.01—Application**§ 179.01-1 General.**

(a) The provisions of this part shall apply to the following vessels:

- (1) All vessels carrying more than 49 passengers.
- (2) All vessels permitted an increased passenger allowance by § 176.01-25(b) of this subchapter.
- (3) Any other vessel whose stability is questioned by the Officer in Charge, Marine Inspection.

Subpart 179.05—Stability Test**§ 179.05-1 When required.**

(a) Except as otherwise provided in this section, each vessel to which this part applies shall be subjected to a stability test conducted by the owner, builder or his representative under the supervision of the Coast Guard. The test shall be satisfactorily completed prior to the issuance of a certificate of inspection.

(b) The Officer in Charge, Marine Inspection, may permit the stability test of a vessel to be dispensed with if the stability of an identical sister vessel has previously been ascertained to be in compliance with the provisions of this part: *Provided, however,* That the vessel is not to be employed in a more severe service or at a deeper draft than that for which the vessel was originally tested.

(c) The Commandant may allow the stability test of a vessel to be dispensed with in exceptional cases where it can be established that due to form, construction and arrangement of the vessel, the stability can be safely determined without a test.

Subpart 179.10—Stability Test Procedure**§ 179.10-1 Procedure for vessels carrying not more than 150 passengers.**

(a) The vessel is to be complete in all respects. Ballast, if necessary, is to be of the permanent, fixed type and is to be on board and in place. Fuel and water tanks are to be approximately three-quarters full.

(b) The weight of the passengers and other load, if any, is to be simulated by equivalent deadweight distributed so as to provide normal trim and to simulate the most unfavorable vertical center of gravity likely to occur in service. The number of passengers used in determining the total passenger weight shall, in no case, be more than the maximum number permitted by the applicable criteria in § 176.01-25 of this subchapter.

(c) On vessels having non-return closures on cockpit scuppers or on weather deck drains, such closures shall be restrained in the open position during the course of the test.

(d) For the purposes of this part, the weight per passenger shall be taken at 160 pounds except that on protected waters, a weight per passenger of 140 pounds may be used when the passenger load consists of men, women, and children.

(e) With deadweight on board equivalent to the total passenger and other load, if any, the vessel shall not exceed the limitations on hull immersion and angle of list set forth in paragraphs (f) and (g) of this section, when subjected to the greater of the following heeling moments:

$$M_p = \frac{W \times B_p}{6} \quad (1)$$

Where:

M_p = Passenger heeling moment, in foot pounds.

W = Total weight of passengers, in pounds.

B_p = Maximum beam of vessel which is accessible to the passengers, in feet.

$$M_w = P \times A \times H \quad (2)$$

Where:

M_w = Wind heeling moment, in foot pounds.

P = Wind pressure factor, in pounds per square foot, in accordance with the following:

7.5 for protected waters;

10.0 for partially-protected waters; or

15.0 for exposed waters.

A = Area, in square feet, of the projected lateral surface of the vessel above the load waterline. This surface includes the hull, superstructure and areas bounded by railings and/or structural canopies.

H = Height, in feet, to the center of area (A) above the load waterline.

(f) When subjected to the required heeling moment, the immersion of the hull due to heel, measured in way of the least freeboard (or at a point three-quarters of the length of the vessel from the bow if the least freeboard is aft of this point) shall not exceed the following, as applicable:

(1) On flush deck vessels the freeboard shall be measured to the top of the weather deck at the side and the immersion shall not be more than one-half of this freeboard.

(2) On well deck vessels the freeboard shall be measured to the top of the weather deck at side. The immersion shall not be more than one-half freeboard; except that for vessels operating on protected waters and having scuppers rather than freeing ports, immersion to the full freeboard may be permitted provided it does not exceed one-quarter the height from the load waterline to the top of the gunwale.

(3) On cockpit boats the freeboard shall be measured to the top of the gunwale. The maximum allowable immersion shall be determined as follows:

$$\text{Maximum allowable immersion (Exposed waters)} = \frac{f(2L-1.5l)}{4L} \quad (3)$$

$$\text{Maximum allowable immersion (Partially-protected or protected waters)} = \frac{f(2L-l)}{4L} \quad (4)$$

Where:

f = Freeboard, in feet.

L = Length of vessel, as defined in § 175.10-19 of this subchapter.

l = Length of cockpit in feet.

(4) On open boats the freeboard shall be measured to the top of the gunwale and the maximum allowable immersion shall be one-quarter of this freeboard.

(g) When subjected to the required heeling moment, the maximum angle of list also shall not exceed 14 degrees.

(h) Vessels carrying vehicular loads, in addition to complying with the other provisions of this subpart, shall be tested to determine that maximum trim or list during loading or unloading will not be excessive.

§ 179.10-3 Alternate procedure for vessels carrying not more than 150 passengers.

(a) In lieu of complying with § 179.10-1 any owner may, if he so desires, carry out an inclining test in accordance with the provisions of Part 74 of Subchapter H (Passenger Vessels) of this chapter. The results of the test together with the supporting plans and data shall be submitted to the Commandant for approval.

(b) In exceptional instances, where due to the form or design of the vessel, the Officer in Charge, Marine Inspection, does not consider the provisions of § 179.10-1 to be sufficiently applicable, he may require an inclining test to be carried out in accordance with the provisions of Part 74 of Subchapter H (Passenger Vessels) of this chapter. The results of the test together with the supporting plans and data shall be submitted to the Commandant for approval.

§ 179.10-5 Procedure for vessels carrying more than 150 passengers.

(a) The stability of the vessels carrying more than 150 passengers shall be checked according to the standards and procedures set forth in Part 74 of Subchapter H (Passenger Vessels) of this chapter. The results of the test together with the supporting plans and data shall be submitted to the Commandant for approval.

Subpart 179.15—Alteration of Vessel**§ 179.15-1 General.**

(a) After compliance with the requirements of this part has been verified by either of the procedures set forth in Subpart 179.10, the vessel shall not be altered in any manner which would adversely affect the stability. The Officer in Charge, Marine Inspection, is to be notified, in writing, prior to removing or relocating ballast, or making any alteration which increases the lateral surface area of the vessel, increases the vessel's draft, or changes the vertical distribution of passenger spaces or weights on board.

Subpart 179.20—Stability Letter**§ 179.20-1 Posting.**

(a) Each vessel subject to the requirements of this part shall have posted under glass or other transparent material in the pilothouse a stability letter issued by the United States Coast Guard. Where posting is impractical,

the stability letter shall be kept on board in the custody of the licensed operator.

§ 179.20-5 Conditions of operation.

(a) The stability letter shall indicate the conditions of operation under which the vessel will have satisfactory stability.

PART 180—LIFESAVING EQUIPMENT

Subpart 180.01—Application and Intent

Sec.	
180.01-1	Application.
180.01-5	Intent.

Subpart 180.05—General Provisions Pertaining to Lifesaving Equipment

180.05-1	Equipment of an approved type.
180.05-5	Equipment installed but not required.

Subpart 180.10—Primary Lifesaving Equipment Required

180.10-1	General.
180.10-5	Requirements for vessels in ocean or coastwise service.
180.10-15	Requirements for vessels in Great Lakes service.
180.10-20	Requirements for vessels in lakes, bays, and sounds service.
180.10-25	Requirements for vessels in river service.
180.10-30	Substitutions.

Subpart 180.15—Equipment for Life Floats and Buoyant Apparatus

180.15-1	Equipment required.
180.15-5	Description of equipment for life floats and buoyant apparatus.
180.15-10	Stowage of equipment.

Subpart 180.20—Stowage and Marking of Lifesaving Appliances

180.20-1	Stowage of lifesaving appliances.
180.20-5	Marking.

Subpart 180.25—Life Preservers

180.25-1	Type required.
180.25-5	Number required.
180.25-10	Distribution and stowage.
180.25-15	Marking.

Subpart 180.30—Ring Life Buoys and Water Lights

180.30-1	General.
180.30-5	Number and size required.
180.30-10	Location, distribution, and securing.

Subpart 180.35—Pyrotechnic Distress Signals

180.35-1	General.
180.35-5	Number required.
180.35-10	Stowage.

AUTHORITY: §§ 180.01-1 to 180.35-10 issued under sec. 3, 70 Stat. 152; 46 U.S.C. 390b. Other statutory provisions interpreted or applied are cited to text in parentheses.

Subpart 180.01—Application and Intent

§ 180.01-1 Application.

(a) The provisions of this part shall apply to all vessels except as specifically noted in this part.

§ 180.01-5 Intent.

(a) The intent of this part is to insure that each vessel carry sufficient lifesaving equipment to provide for timely rescue and survival of the personnel on board in the event of a casualty to the vessel. Due consideration will be given to the number of persons carried and the hazards of the route permitted.

Subpart 180.05—General Provisions Pertaining to Lifesaving Equipment

§ 180.05-1 Equipment of an approved type.

(a) Where equipment in this part is required to be of an approved type, such equipment requires the specific approval of the Commandant. Notifications regarding approvals are published in the FEDERAL REGISTER, and in addition are contained in Coast Guard publication CG-190, "Equipment Lists."

(b) Specifications for lifesaving equipment items required to be of an approved type have been promulgated and are contained in subchapter Q (Specifications) of this chapter. In general, such specifications are of interest only to the manufacturer of specific items of equipment. The subparts in Subchapter Q containing specifications for the lifesaving equipment required by this part are as follows:

(1) Life floats-----	160.027.
(2) Buoyant apparatus-----	160.010.
(3) Lifeboats-----	160.035.
(4) Life rafts-----	160.018.
(5) Inflatable life rafts-----	160.051.
(6) Life preservers-----	160.002, 160.003, 160.004, 160.005, 160.055.
(7) Ring life buoys-----	160.009, 160.050.
(8) Water lights-----	160.012, 161.001.
(9) Distress signals:	
Red flare-----	160.021.
Orange smoke-----	160.037.
Combination flare and smoke-----	160.023.

(R.S. 4405, as amended, 4426, as amended, 4462, as amended, 4488, as amended, 4491, as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 375, 404, 416, 481, 489, 526p)

§ 180.05-5 Equipment installed but not required.

(a) Except as further modified in this section, where items of lifesaving equipment are not required, but are installed, such equipment and its installation shall meet the requirements of this part. However, the Commandant may, after suitable investigations and tests, accept lifesaving devices in excess of those required, which are of a type not contemplated by the regulations in this part, if the safety of those on board is improved thereby.

Subpart 180.10—Primary Lifesaving Equipment Required

§ 180.10-1 General.

(a) All life floats and buoyant apparatus shall be of approved types.

(R.S. 4405, as amended, 4426, as amended, 4462, as amended, 4488, as amended, 4491, as amended; 46 U.S.C. 375, 404, 416, 481, 489)

§ 180.10-5 Requirements for vessels in ocean or coastwise service.

(a) Except as otherwise provided in this section, vessels in ocean service shall carry sufficient life floats for all persons on board, and vessels in coastwise service shall carry sufficient life floats or

buoyant apparatus for all persons on board.

(1) Vessels whose routes are restricted to 20 miles from a harbor of safe refuge shall carry life floats or buoyant apparatus for not less than 50 percent of all persons on board.

(2) For vessels operating not more than one mile from land, the Officer in Charge, Marine Inspection, may permit operation with reduced amounts of life floats or buoyant apparatus when in his opinion it is safe to do so. In permitting such reduction the Officer in Charge, Marine Inspection, shall consider the vessel, its scope of operation and the hazards of the route.

§ 180.10-15 Requirements for vessels in Great Lakes service.

(a) Except as otherwise provided in this section, vessels in Great Lakes service shall carry sufficient life floats or buoyant apparatus for not less than 50 percent of all persons on board.

(1) Vessels navigating not more than one mile from land are not required to carry life floats or buoyant apparatus.

§ 180.10-20 Requirements for vessels in lakes, bays, and sounds service.

(a) Except as otherwise provided in this section, vessels in lakes, bays, and sounds service shall carry sufficient life floats or buoyant apparatus for not less than 30 percent of all persons on board.

(1) Vessels navigating not more than 1 mile from land are not required to carry life floats or buoyant apparatus.

§ 180.10-25 Requirements for vessels in river service.

(a) Except as otherwise provided in this section, vessels in river service shall carry sufficient life floats or buoyant apparatus for not less than 10 percent of all persons on board.

(1) Vessels navigating not more than 1 mile from land are not required to carry life floats or buoyant apparatus.

§ 180.10-30 Substitutions.

(a) Lifeboats and rigid type life rafts of an approved type may be substituted for any portion of the primary lifesaving equipment required. Such boats and rafts shall be equipped and stowed as required by the Officer in Charge, Marine Inspection.

(b) Suitable dinghies, dories, skiffs, etc., may be substituted for any portion of the primary lifesaving equipment required, under such conditions as may be determined by the Officer in Charge, Marine Inspection.

(c) Inflatable life rafts of an approved type may be substituted for any portion of the primary lifesaving equipment required.

(d) Ring life buoys of an approved type may be substituted for a portion of the primary lifesaving equipment required. One ring life buoy shall be required for each person accommodated and no more than 2 ring life buoys may be used in the substitution. These ring life buoys when provided, shall be in addition to the ring life buoy required by this part.

Subpart 180.15—Equipment for Life Floats and Buoyant Apparatus

§ 180.15-1 Equipment required.

(a) Each life float shall be fitted with a life line and shall be equipped with two paddles, a water light and a painter.

(b) Each buoyant apparatus shall be fitted with a life line and shall be equipped with a water light and painter.

§ 180.15-5 Description of equipment for life floats and buoyant apparatus.

(a) *Life line.* The life line shall be properly secured around the sides and ends of the life float or buoyant apparatus, festooned in bights not longer than 3 feet, with a seine float in each bight, which float may be omitted if the line is of an inherently buoyant material and absorbs little or no water. The life line shall be of a size and strength not less than $\frac{3}{8}$ -inch diameter manila.

(b) *Paddles.* Paddles shall be not less than 4 feet long.

(c) *Painter.* The painter for life floats and buoyant apparatus shall be of manila rope not less than 2 inches in circumference or equivalent. It shall be not less than 4 fathoms in length.

(d) *Water light.* The water light shall be of an approved type constructed in accordance with subpart 160.012 or 161.001 of subchapter Q (Specifications) of this chapter.

§ 180.15-10 Stowage of equipment.

(a) Paddles shall be lashed on the sides of the life floats to which they belong.

(b) The water light shall be attached to the life float or buoyant apparatus by a lanyard of $\frac{3}{8}$ -inch diameter manila line or equivalent. The lanyard shall be 18 feet in length.

Subpart 180.20—Stowage and Marking of Lifesaving Appliances

§ 180.20-1 Stowage of lifesaving appliances.

(a) Life floats and buoyant apparatus shall be stowed in such a manner as to be readily launched. Life floats exceeding 400 pounds in weight shall be stowed in such a manner as not to require lifting before launching.

(b) Life floats and buoyant apparatus shall not be secured to the vessel except by lashings which can be easily slipped. They may be stowed in tiers one above the other to a height of not more than 4 feet, provided such stowage does not interfere with the navigation of the vessel. When stowed in tiers the separate units shall be kept apart sufficiently to prevent sticking together by means of suitable distance pieces. Means shall be provided to prevent shifting.

§ 180.20-5 Marking.

(a) All life floats and buoyant apparatus shall be conspicuously marked with the vessel's name. In addition the number of persons allowed on each life float or buoyant apparatus shall be conspicuously marked or painted thereon in letters and numbers at least $1\frac{1}{2}$ inches high. (This requirement is also in § 185.30-5 of this subchapter.)

(b) Any lifeboat, life raft, or other suitable boat accepted as primary life-saving equipment shall be marked with its allowed capacity in persons, and with the name of the vessel in letters and figures at least 2 inches high, except that inflatable life rafts shall be marked by the manufacturer or service facility as required by Subpart 160.051 of Subchapter Q (Specifications) of this chapter and no additional markings are required. (This requirement is also in § 185.30-5 of this subchapter.)

Subpart 180.25—Life Preservers

§ 180.25-1 Type required.

(a) All life preservers shall be of an approved type.

(b) On or before July 1, 1963, all kapok and fibrous glass life preservers which do not have plastic covered inserts shall be removed from service.

(R.S. 4405, as amended, 4426, as amended, 4462, as amended, 4488, as amended, 4491, as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 375, 404, 416, 481, 489, 526p)

§ 180.25-5 Number required.

(a) All vessels shall be provided with an approved adult type life preserver for each person carried. In addition, unless the service is such that children are never carried, there shall be provided a number of approved life preservers suitable for children equal to at least 10 percent of the total number of persons carried.

§ 180.25-10 Distribution and stowage.

(a) Life preservers shall be distributed through the upper part of the vessel in protected places convenient to the persons on board.

(b) If practicable, life preserver containers shall be so designed as to allow the life preservers to float free.

(c) Life preservers for children, when provided, shall be stowed separately.

§ 180.25-15 Marking.

(a) All life preservers shall be marked with the vessel's name. (This requirement is also in § 185.30-5(c) of this subchapter.)

(b) Where life preservers are stowed so that they are not readily visible to passengers, the containers in which they are stowed shall be marked "life preservers" and with the number contained therein, in at least 1-inch letters and figures. This legend shall indicate the separate stowage of children's life preservers. (This requirement is also in § 185.30-10(a) of this subchapter.)

Subpart 180.30—Ring Life Buoys and Water Lights

§ 180.30-1 General.

(a) All ring life buoys and water lights shall be of approved types.

(R.S. 4405, as amended, 4426, as amended, 4462, as amended, 4488, as amended, 4491, as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 375, 404, 416, 481, 489, 526p)

§ 180.30-5 Number and size required.

(a) All vessels shall be fitted with one ring life buoy of not less than 24 inches

in diameter, except that vessels less than 26 feet in length may use one ring life buoy of not less than 20 inches in diameter.

(b) Vessels not limited to daytime operation shall be provided with an approved water light.

§ 180.30-10 Location, distribution, and securing.

(a) The ring life buoy shall be so placed as to be readily accessible. It shall be capable of being cast loose, shall not be permanently secured in any way, and shall have attached to it a line at least 60 feet in length.

(b) The water light shall be stowed close to the ring life buoy and arranged to be attached to it for nighttime operation.

Subpart 180.35—Pyrotechnic Distress Signals

§ 180.35-1 General.

(a) All pyrotechnic distress signals shall be of an approved type.

(R.S. 4405, as amended, 4426, as amended, 4462, as amended, 4488, as amended, 4491, as amended; 46 U.S.C. 375, 404, 416, 481, 489)

(b) Service use of distress signals shall be limited to a period of 3 years from date of manufacture, and replacement shall be made no later than the first inspection for certification or reinspection after the date of expiration.

§ 180.35-5 Number required.

(a) Except as otherwise provided in this section, all vessels shall carry pyrotechnic distress signals as follows:

(1) 6 hand red flare distress signals, and 6 hand orange smoke distress signals; or,

(2) 12 hand combination flare and smoke distress signals.

(b) Pyrotechnic distress signals are not required on vessels operating on short runs. A vessel is considered to be on a short run when its operating time away from a dock is limited to approximately 30 minutes.

§ 180.35-10 Stowage.

(a) All pyrotechnic distress signals shall be carried within the pilothouse or in other location considered suitable by the Officer in Charge, Marine Inspection.

(b) All pyrotechnic distress signals shall be stowed in a portable watertight container.

PART 181—FIRE PROTECTION EQUIPMENT

Subpart 181.01—Application and Intent

Sec.

181.01-1 Application.

181.01-5 Intent.

Subpart 181.05—Approved Fire Protection Equipment

181.05-1 General.

181.05-5 Equipment installed but not required.

Subpart 181.10—Fire Pumps

181.10-1 Power fire pump.

181.10-5 Hand fire pumps.

Subpart 181.15—Fire Main System

- Sec.
181.15-1 Where required.
181.15-5 Fire main and hydrants.
181.15-10 Fire hose.

Subpart 181.20—Fixed Fire Extinguishing System

- 181.20-1 Where required.
181.20-5 Type system required.
181.20-10 Amount of CO₂ gas required.
181.20-15 Controls.
181.20-20 Piping.
181.20-25 Discharge outlets.
181.20-30 Cylinders.
181.20-35 Closure of openings.

Subpart 181.25—Manual Sprinkling System

- 181.25-1 Where required.
181.25-5 Installation.

Subpart 181.30—Portable Fire Extinguishers

- 181.30-1 Required number, type and location.
181.30-5 Approved extinguishers.
181.30-10 Installation and location.

AUTHORITY: §§ 181.01-1 to 181.30-10 issued under sec. 3, 70 Stat. 152; 46 U.S.C. 390b. Other statutory provisions interpreted or applied are cited to text in parentheses.

Subpart 181.01—Application and Intent

§ 181.01-1 Application.

(a) The provisions of this part shall apply to all vessels except as specifically noted in this part.

(b) Installations of power fire pumps, fire main systems and fixed fire extinguishing systems on vessels contracted for before June 1, 1958, shall meet the requirements of this part insofar as deemed reasonable and practicable by the Officer in Charge, Marine Inspection.

§ 181.01-5 Intent.

(a) The intent of this part is to insure that each vessel is provided with sufficient fire fighting equipment of the type necessary to extinguish any fires which are likely to be encountered in normal operation. Due consideration will be given to hazards caused by the vessel's type of fuel, construction material, equipment, cargo, etc.

Subpart 181.05—Approved Fire Protection Equipment

§ 181.05-1 General.

(a) Where equipment in this part is required to be of an approved type, such equipment requires the specific approval of the Commandant.

(b) Notifications regarding approvals are published in the FEDERAL REGISTER, and in addition are contained in Coast Guard publication CG-190, "Equipment Lists".

(R.S. 4405, as amended, 4426, as amended, 4462, as amended, 4488, as amended, 4491, as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 375, 404, 416, 481, 489, 526p)

§ 181.05-5 Equipment installed but not required.

(a) Except as further modified in this section, where fire extinguishing systems or equipment are not required, but are installed, the system or equipment and its installation shall meet the requirements of this part. However, the Com-

mandant may, after suitable investigations and tests, accept fire fighting equipment, which is of a type not contemplated by the regulations in this part, if the safety of the vessel is materially improved thereby.

Subpart 181.10—Fire Pumps

§ 181.10-1 Power fire pump.

(a) A power-driven fire pump shall be installed on each mechanically propelled vessel which is a ferry vessel or which is permitted to carry more than 49 passengers.

(b) The power fire pump shall be self-priming and of such size as to discharge an effective stream from a hose connected to the highest outlet.

(c) The power fire pump may be driven off the propulsion engine or other source of power and shall be connected to the fire main. This pump may also be connected to the bilge system so that it can serve as either a fire pump or a bilge pump.

§ 181.10-5 Hand fire pumps.

(a) All vessels shall be provided with a hand operated portable fire pump having a capacity of at least 5 gallons per minute. This fire pump shall be equipped with suction and discharge hose suitable for use in fire fighting.

(b) The hand portable fire pump may also serve as a bilge pump.

Subpart 181.15—Fire Main System

§ 181.15-1 Where required.

(a) All vessels required to be provided with a power-driven fire pump shall also be provided with a fire main system including fire main, hydrants, hose and nozzles.

§ 181.15-5 Fire main and hydrants.

(a) Fire hydrants, when required, shall be of sufficient number and so located that any part of the vessel may be reached with an effective stream of water from a single length-of hose.

(b) All piping, valves, and fittings shall be in accordance with good marine practice and suitable for the purpose intended.

§ 181.15-10 Fire hose.

(a) One length of fire hose shall be provided for each fire hydrant required.

(b) Fire hose may be commercial fire hose or equivalent of not over 1½-inch diameter or garden hose of not less than ⅝-inch nominal inside diameter. Hose shall be in one piece not less than 25 feet and not more than 50 feet in length.

(c) If 1½-inch hose is used, it shall be of a good grade fire hose and provisions shall be made for proper stowage to prevent kinking. The hose shall be fitted with a good grade bronze or equivalent metal nozzle having a ½-inch solid stream orifice or an approved combination nozzle.

(d) If garden hose is used, it shall be of a good commercial grade constructed of an inner rubber tube, plies of braided cotton reinforcement and an outer rubber cover or of equivalent material, and shall be fitted with a commercial garden hose nozzle of good grade bronze or equivalent metal.

(e) All fittings on fire hose shall be of brass, copper, or other suitable corrosion-resistant metal.

(f) A length of fire hose shall be attached to each fire hydrant at all times.

Subpart 181.20—Fixed Fire Extinguishing System

§ 181.20-1 Where required.

(a) Fixed carbon dioxide fire extinguishing systems shall be installed to protect the following spaces:

(1) The machinery and fuel tank spaces of all vessels using gasoline or other fuel having a flash point of 110° F. or lower, except that where machinery and fuel tank spaces are so open to the atmosphere as to make the use of a fixed system ineffective, no such system will be required.

(2) The paint and oil rooms and similar hazardous spaces on all vessels having such spaces.

(3) Cargo spaces which are inaccessible during a voyage and used for combustible cargo on all vessels having such spaces.

(R.S. 4405, as amended, 4426, as amended, 4462, as amended, 4488, as amended, 4491, as amended; 46 U.S.C. 375, 404, 416, 481, 489)

§ 181.20-5 Type system required.

(a) Except as otherwise provided in this section, all fixed fire extinguishing systems shall be of an approved carbon dioxide type and installed to the satisfaction of the Officer in Charge, Marine Inspection.

(b) On vessels where the amount of carbon dioxide gas required in a fixed system can be supplied by one portable extinguisher or by a semi-portable extinguisher, such extinguishers may be used subject to the following:

(1) Cylinders shall be installed in a fixed position outside the space protected.

(2) The applicator shall be installed in a fixed position so as to discharge into the space protected.

(3) Controls shall be installed in an accessible location outside the space protected.

§ 181.20-10 Amount of CO₂ gas required.

(a) The number of pounds of carbon dioxide required for each space protected shall be determined as follows:

(1) For cargo spaces, the number of pounds required shall be equal to the gross volume of the space in cubic feet divided by a factor of 30.

(2) For machinery and fuel tank spaces, paint lockers, oil rooms and similar hazardous spaces, the number of pounds required for each space shall be equal to the gross volume of the space divided by the appropriate factor noted in Table 181.20-10(a) (2).

TABLE 181.20-10(a) (2)

Gross volume of compartment, cubic feet		Factor
Over—	Not over—	
	500	15
	1,000	16
500	4,500	18
1,000		20
4,500		

(b) A separate supply of carbon dioxide need not be provided for each space protected. The total available supply shall be at least sufficient for the space requiring the greatest amount.

§ 181.20-15 Controls.

(a) All controls and valves for the operation of the system shall be outside the spaces protected and shall not be located in such space as might be cut off or made inaccessible in the event of fire in any of the spaces protected.

(b) Each branch line shall be fitted with an approved shutoff valve. Such shutoff valve shall be kept closed at all times except to operate the particular system.

(c) The arrangements shall be such that the entire charge to any space can be introduced into the space by the operation of one valve selecting the space, and one control for releasing at least the required amount of carbon dioxide. The controls shall be of an approved type and shall be located adjacent to the shutoff valve controls.

(d) Complete but simple instructions for the operation of the system shall be located in a conspicuous place at or near the releasing control device. All control valves to branch lines shall be labeled to indicate space served.

§ 181.20-20 Piping.

(a) Branch lines to the various cargo spaces shall be not less than ½ inch standard pipe size.

(b) The size of branch lines to machinery and fuel tank spaces, paint lockers, oil rooms and similar hazardous spaces shall be as noted in Table 181.20-20(b).

TABLE 181.20-20(b)

Maximum quantity of carbon dioxide required, pounds	Minimum pipe size, inches
100.....	¼ (Schedule 40).
200.....	¾ (Schedule 40).
300.....	1 (Schedule 80).
600.....	1¼ (Schedule 80).

(c) All piping, valves, and fittings of ferrous materials shall be protected inside and outside against corrosion.

(d) All dead-end lines shall extend at least 2 inches beyond the last orifice and shall be closed with cap or plug.

(e) All piping, valves, and fittings shall be securely supported, and where necessary, protected against injury.

(f) Drains and dirt traps shall be fitted where necessary to prevent the accumulation of dirt or moisture. Drains and dirt traps shall be located in accessible locations.

§ 181.20-25 Discharge outlets.

(a) Discharge outlets shall be of an approved type.

(b) The total area of all discharge outlets shall not exceed 85 percent nor be less than 35 percent of the nominal cylinder outlet area or the area of the supply pipe, whichever is smaller. The nominal cylinder outlet area in square inches shall be determined by multiplying the factor 0.0022 by the number of

pounds of carbon dioxide required except that in no case shall this outlet area be less than 0.110 square inches.

§ 181.20-30 Cylinders.

(a) Cylinders shall be securely fastened and supported, and where necessary protected against injury.

(b) Cylinders shall be mounted in an upright position or inclined not more than 30° from the vertical. However, cylinders which are fitted with flexible or bent siphon tubes may be inclined not more than 80° from the vertical.

(c) All cylinders used for storing carbon dioxide shall be fabricated, tested, and marked in accordance with the regulations of the Interstate Commerce Commission (see § 176.25-25(c) of this subchapter).

(d) Cylinders shall be so mounted as to be readily accessible and capable of easy removal for recharging and inspection, including weighing.

(e) Where subject to moisture, cylinders shall be so installed as to provide a space of at least 2 inches between the flooring and the bottom of the cylinders.

§ 181.25-35 Closure of openings.

(a) Provision shall be made by means of plugs, covers, etc., to prevent the admission of air into the space protected.

Subpart 181.25—Manual Sprinkling System

§ 181.25-1 Where required.

(a) All vessels having a deck above a vehicular space shall be fitted with a manual sprinkling system in the vehicle space.

(R.S. 4405, as amended, 4426, as amended, 4462, as amended, 4488, as amended; 46 U.S.C. 375, 404, 416, 481)

TABLE 181.30-1(a)

Space protected	Total number extinguishers required	Type extinguishers permitted		
		Medium	Minimum size	Coast Guard classification
Wheelhouse or steering station.	1.....	Foam..... Carbon dioxide..... Dry chemical.....	1½ gallons..... 4 pounds..... 2 pounds.....	B-I.
Propulsion machinery space (gasoline or other fuel having a flash point of 110° F. or lower).	1.....	Foam..... Carbon dioxide..... Dry chemical.....	1½ gallons..... 4 pounds..... 2 pounds.....	
Propulsion machinery space (diesel oil or other fuel having a flash point over 110° F.)	2 (none required if fixed CO ₂ system is installed).	Foam..... Carbon dioxide..... Dry chemical.....	2½ gallons..... 15 pounds..... 10 pounds.....	B-II.
Vehicular spaces.....	1 for each 5 vehicles or fraction thereof.	Foam..... Carbon dioxide..... Dry chemical.....	2½ gallons..... 15 pounds..... 10 pounds.....	
Accommodations and galley..	1.....	Foam..... Carbon dioxide..... Dry chemical.....	2½ gallons..... 15 pounds..... 10 pounds.....	B-II.

§ 181.30-10 Installation and location.

(a) Portable fire extinguishers shall be located so as to be convenient to the space protected.

(b) Portable fire extinguishers shall be installed and located to the satisfaction of the Officer in Charge, Marine Inspection.

§ 181.25-5 Installation.

(a) Manual sprinkling systems required shall be subject to such requirements as determined by the Officer in Charge, Marine Inspection. These requirements are contained in applicable regulations in Part 76 of Subchapter H (Passenger Vessels) of this chapter.

Subpart 181.30—Portable Fire Extinguishers

§ 181.30-1 Required number, type and location.

(a) The minimum number of portable fire extinguishers required on each vessel shall be as determined by the Officer in Charge, Marine Inspection, in accordance with Table 181.30-1(a) and other provisions of this subpart.

(b) The Officer in Charge, Marine Inspection, may permit the use of any approved fire extinguishers, including semiportable extinguishers, in lieu of those required by this section when in his opinion such extinguishers will provide equivalent fire protection.

(c) Vaporizing liquid type fire extinguishers containing carbon tetrachloride or chlorobromomethane or other toxic vaporizing liquids shall be removed from all vessels on or before January 1, 1962. Existing installations of such extinguishers may be continued in use if in good and serviceable condition until the removal date.

§ 181.30-5 Approved extinguishers.

(a) All portable fire extinguishers installed on vessels shall be of an approved type.

(R.S. 4405, as amended, 4426, as amended, 4462, as amended, 4488, as amended, 4491, as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 375, 404, 416, 481, 489, 526p)

PART 182—MACHINERY INSTALLATION

Subpart 182.01—Application and Intent

Sec.

182.01-1 Application.

182.01-5 Intent.

Subpart 182.05—Propulsion Machinery

182.05-1 General.

Sec.
182.05-5 Installations.

Subpart 182.10—Auxiliary Machinery

182.10-1 General.
182.10-5 Installations.

Subpart 182.15—Machinery Using Gasoline as Fuel

182.15-1 Application.
182.15-5 General requirements.
182.15-7 Carburetors.
182.15-10 Gasoline engine cooling.
182.15-15 Gasoline engine exhaust cooling.
182.15-20 Gasoline engine exhaust pipe, installation.
182.15-25 Gasoline fuel tanks.
182.15-30 Filling and sounding pipes for gasoline fuel tanks.
182.15-35 Vent pipes for gasoline fuel tanks.
182.15-40 Gasoline fuel supply piping.
182.15-45 Ventilation of compartments containing gasoline machinery or fuel tanks.

Subpart 182.20—Machinery Using Diesel Fuel

182.20-1 Application.
182.20-5 General requirements.
182.20-10 Diesel engine cooling.
182.20-15 Diesel engine exhaust cooling.
182.20-20 Diesel engine exhaust pipe, installation.
182.20-22 Integral diesel fuel tanks.
182.20-25 Independent diesel fuel tanks.
182.20-30 Filling and sounding pipes for diesel fuel tanks.
182.20-35 Vent pipes for diesel fuel tanks.
182.20-40 Diesel fuel supply piping.
182.20-45 Ventilation of compartments containing diesel machinery.
182.20-50 Ventilation or venting of compartments containing diesel fuel tanks.

Subpart 182.25—Bilge System

182.25-1 General.
182.25-5 Bilge piping system.
182.25-10 Bilge pumps.

Subpart 182.30—Steering Apparatus

182.30-1 Main steering apparatus.
182.30-5 Auxiliary steering apparatus.

Subpart 182.35—Separation of Machinery and Fuel Tank Spaces From Accommodation Spaces

182.35-1 Bulkheads.

AUTHORITY: §§ 182.01-1 to 182.35-1 issued under sec. 3, 70 Stat. 152; 46 U.S.C. 390b. Other statutory provisions interpreted or applied are cited to text in parentheses.

Subpart 182.01—Application and Intent

§ 182.01-1 Application.

(a) The provisions of this part shall apply to the machinery installation on all vessels contracted for on or after June 1, 1958. Machinery installations on all vessels contracted for prior to this date shall meet the requirements of this part insofar as is deemed reasonable and practicable by the Officer in Charge, Marine Inspection.

(R.S. 4405, as amended, 4417, as amended, 4418, as amended, 4426, as amended, 4453, as amended, 4462, as amended, 4488, as amended; 46 U.S.C. 375, 391, 392, 404, 435, 416, 481)

§ 182.01-5 Intent.

(a) The intent of this part is to insure that the main propulsion machinery installed on each vessel is suitable for the vessel and its operation and that the auxiliary machinery is suitable for the purpose intended. It is further intended

that all machinery be installed and maintained in such a manner as to afford adequate protection against fire, explosion, machinery failure and personnel injury.

Subpart 182.05—Propulsion Machinery

§ 182.05-1 General.

(a) Propulsion machinery shall be suitable in type and design for propulsion requirements of the hull in which it is installed and capable of operating at constant marine load under such requirements without exceeding its designed limitations.

§ 182.05-5 Installations.

(a) Except as otherwise provided in this section main propulsion machinery installations shall comply with the provisions of this part.

(b) Propulsion machinery of an unusual type for small passenger vessels shall be given separate consideration and shall be subject to such requirements as determined by the Officer in Charge, Marine Inspection. The requirements for machinery and boilers for steam and electrically propelled vessels are contained in applicable regulations in Subchapter F (Marine Engineering) and Subchapter J (Electrical Engineering) of this chapter. These unusual types of propulsion machinery include:

- (1) Machinery installations using steam.
- (2) Electrical machinery installations.
- (3) Gas turbine machinery installations.
- (4) Outboard motors.
- (5) Air screws.
- (6) Hydraulic jets.

Subpart 182.10—Auxiliary Machinery

§ 182.10-1 General.

(a) Auxiliary machinery shall be suitable in type and design for the purpose intended.

§ 182.10-5 Installations.

(a) Auxiliary machinery of the internal combustion piston type shall comply with the provisions of this part.

(b) Auxiliary machinery installation of the steam or gas turbine type will be given separate consideration and shall be subject to such requirements as determined by the Officer in Charge, Marine Inspection. These requirements are contained in applicable regulations in Subchapter F (Marine Engineering) of this chapter.

(c) Auxiliary boilers and heating boilers and their associated piping and fittings will be given separate consideration and will be subject to such requirements as determined by the Officer in Charge, Marine Inspection. These requirements shall be as specified in applicable regulations in Subchapter F (Marine Engineering) of this chapter except that heating boilers shall be tested or examined every three years.

(d) Except as otherwise provided in this paragraph all unfired pressure vessels shall be Coast Guard approved and installed to the satisfaction of the Officer

in Charge, Marine Inspection. The requirements for design, construction and original testing of such approved unfired pressure vessels are in applicable regulations in Subchapter F (Marine Engineering) of this chapter. Information concerning the applicable regulations may be obtained from the Officer in Charge, Marine Inspection.

(1) Unfired pressure vessels of not more than 5 cubic feet internal volume and which have a maximum working pressure of not more than 100 pounds per square inch may be accepted by the Officer in Charge, Marine Inspection, if manufactured and stamped in accordance with a recognized code, such as American Society of Mechanical Engineers, American Petroleum Institute, U.S. Navy, American Bureau of Shipping, Lloyd's Register of Shipping, Interstate Commerce Commission, etc.

Subpart 182.15—Machinery Using Gasoline as Fuel

§ 182.15-1 Application.

(a) This subpart shall apply to all propulsion and auxiliary machinery installations of the internal combustion piston type which use gasoline or other fuel having a flash point of 110° F. or lower.

§ 182.15-5 General requirements.

(a) Starting motors, generators and any spark producing device shall be mounted as high above the bilges as practicable.

(b) Gages to indicate cooling water discharge temperature and lubricating oil pressure shall be provided for all propulsion engines and located so as to be in view of the operator. When engine is freshwater cooled and exhaust pipe is cooled by a separate water cooling system, a suitable warning, visible or audible at the operating station, shall be provided to indicate any failure of water flow in the exhaust system.

(c) The use of liquefied inflammable gases, such as propane, methane, butane, etc., as fuel is prohibited on all vessels.

§ 182.15-7 Carburetors.

(a) All carburetors except the down-draft type shall be equipped with integral or externally fitted drip collectors of adequate capacity and of such arrangement as to permit ready removal of fuel leakage. Externally fitted drip collectors shall be covered with flame screens.

NOTE: It is recommended that drip collectors be drained by a device for automatic return of all drip to engine air intakes.

(b) Carburetors of all engines shall be fitted with effective backfire flame arrestors of an approved type. Specifications for approved type backfire flame arrestors are in Subpart 162.015 of Subchapter Q (Specifications) of this chapter.

(Secs. 10, 17, 54 Stat. 165, 166; 46 U.S.C. 526i, 526p)

§ 182.15-10 Gasoline engine cooling.

(a) Except as otherwise provided in this paragraph all engines shall be water cooled.

(1) Auxiliary engines with self-contained fuel systems may be air cooled when they are installed on open decks.

(b) The engine cooling water system shall be in accordance with the following provisions:

(1) The engine head, block and exhaust manifold shall be water jacketed and cooled by water from a pump which operates whenever the engine is operating.

(2) A closed fresh water system may be used to cool the engine. Air cooled radiators shall not be used for propulsion engine cooling systems.

(3) A suitable hull strainer shall be installed in the circulating water intake line.

§ 182.15-15 Gasoline engine exhaust cooling.

(a) Except as otherwise provided in this paragraph, all engine exhaust pipes shall be water cooled.

(1) Dry pipe vertical exhausts are permissible if suitably insulated.

(2) Exhaust pipes on air cooled engines need not be water cooled but suitable insulation may be required.

(b) The exhaust pipe cooling water system shall be in accordance with the following provisions:

(1) Water for cooling the exhaust pipe shall be obtained from the engine cooling water system or a separate engine driven pump.

(2) Water for cooling the exhaust pipe, other than a vertical exhaust, shall be injected into the exhaust system as near to the engine manifold as practicable. The water shall pass through the entire length of the exhaust pipe.

(3) That part of the exhaust system between the point of cooling water injection and the engine manifold shall be water-jacketed or effectively insulated.

(4) Vertical exhaust piping shall be water-jacketed between the engine manifold and the spark arrester.

(5) When the exhaust cooling system is separate from the engine cooling system a suitable warning device shall be provided to indicate any failure of water flow in the exhaust cooling system. Such warning shall be visible or audible at the engine operating station.

(6) A suitable hull strainer shall be installed in the circulating water intake line for the exhaust cooling system.

§ 182.15-20 Gasoline engine exhaust pipe, installation.

(a) Exhaust piping shall be led to the point of escape with a minimum number of bends or elbows. It shall be gas-tight throughout its length and shall be properly supported by non-combustible hangers or blocks.

(b) The exhaust piping shall be so arranged as to prevent backflow of water from reaching engine exhaust ports under normal conditions.

(c) Where flexibility is necessary a section of flexible metallic hose may be used. Non-metallic hose may be used provided it is especially adapted to resist the action of oil, acid and heat, and has a wall thickness sufficient to prevent collapsing or panting.

(d) Where exhaust piping passes through watertight bulkheads the watertight integrity of the bulkhead shall be maintained. Non-combustible packing shall be used in bulkhead penetration glands. Water cooled exhaust pipes may be welded to steel bulkheads in way of penetrations if suitable arrangements are provided to relieve the stresses resulting from the expansion of the exhaust piping.

(e) Where exhaust piping passes through non-watertight combustible bulkheads or partitions non-combustible packing shall be used in bulkhead penetration glands or a minimum clearance of 2 inches shall be provided between the exhaust pipe and the bulkhead or partition.

(f) Vertical exhaust systems shall be provided with spark arresters. Spark arresters shall be supported by suitable steel hangers and shall be lagged with fire resistant material. A clearance of at least 9 inches shall be maintained

between the spark arrester and any woodwork.

(g) Protective gratings shall be provided at such locations where persons or gear might come in contact with the exhaust pipe.

(h) Arrangements shall be made to provide access to the exhaust pipe throughout its length.

§ 182.15-25 Gasoline fuel tanks.

(a) *Materials and construction.* (1) Fuel tanks shall be independent of the hull. The material used and the minimum thickness allowed shall be as indicated in Table 182.15-25(a) (1), except that consideration will be given to other materials which provide equivalent safety. Fuel tanks having a capacity of more than 150 gallons shall be designed to withstand the maximum head to which they may be subjected in service but in no case shall the thickness be less than that specified in Table 182.15-25(a) (1).

TABLE 182.15-25(a) (1)

Material	A.S.T.M. specification (latest edition)	Thickness in inches and gage number vs. tank capacities for—		
		1 to 80 gallon tanks	More than 80 and not more than 150 gallon tanks	Over 150 gallon tanks
Nickel-copper.....	B127, Hot Rolled Sheet or Plate.	0.037 (USSG 20) ¹	0.050 (USSG 18)	0.107 (USSG 12)
Copper-nickel.....	B122, Alloy No. 5.....	.045 (AWG 17)	.057 (AWG 15)	.128 (AWG 8)
Copper.....	B152, Type ETP.....	.057 (AWG 15)	.080 (AWG 12)	.182 (AWG 5)
Copper-silicon.....	B97, Alloys A, B, and C.....	.050 (AWG 16)	.064 (AWG 14)	.144 (AWG 7)
Steel or iron ²		.0747 (USSG 14)	.1046 (USSG 12)	.1875 (USSG 7)

¹ Nickel-copper not less than 0.031 inch (USSG 22) may be used for tanks up to 30-gallon capacity.

² Fuel tanks constructed of iron or steel, which is less than $\frac{3}{16}$ inch thick, shall be galvanized inside and outside by the hot dip process.

(2) Tanks with flanged-up top edges, that may trap and hold moisture, shall not be used.

(3) Openings for fill, vent and fuel pipes, and openings for fuel level gages where used, shall be on topmost surface of tanks. Tanks shall have no openings in bottoms, sides, or ends, except that an opening fitted with threaded plug or cap may be used for tank cleaning purposes.

(4) All tank joints shall be welded or brazed except that tanks of less than 20 gallons capacity may be soldered provided the solder used has a melting point of not less than 800° F.

(5) Nozzles, flanges or other fittings for pipe connections shall be welded or brazed to the tank. The tank openings in way of pipe connections shall be properly reinforced where necessary. Where fuel level gages are used the flange to which gage fittings are attached shall be welded or brazed to the tank.

(6) All tanks exceeding 30 inches in any horizontal dimension shall be fitted with vertical baffle plates where necessary for strength or for control of excessive surge. In general, baffle plates installed at intervals not exceeding 30 inches will be considered as meeting this requirement.

(7) Baffle plates, where required, shall be of the same material and not less than the minimum thickness required in the

tank walls and shall be connected to the tank walls by welding or brazing.

(b) *Location and installation.* (1) Fuel tanks shall be located in, or as close as practicable to engine compartments.

(2) Fuel tanks shall be so installed as to permit examination, testing, or removal for cleaning with minimum disturbance to the hull structure.

(3) Fuel tanks shall be adequately supported and braced to prevent movement. The supports and braces shall be insulated from contact with the tank surfaces with a non-abrasive and non-absorbent material.

(4) All fuel tanks shall be electrically bonded to the common ground.

(c) *Tests.* (1) Prior to installation tanks shall be tested to, and must withstand, a pressure of 5 pounds per square inch or $1\frac{1}{2}$ times the maximum head to which they may be subjected in service, whichever is greater. A standpipe of $11\frac{1}{2}$ feet in height attached to the tank may be filled with water to accomplish the 5 pounds per square inch test. Permanent deformation of the tank will not be cause for rejection unless accompanied by leakage.

(2) After installation of the fuel tank on a vessel the complete installation shall be tested in the presence of a marine inspector to a head not less than that to which the tank may be subjected in service. Fuel may be used as a testing medium.

§ 182.15-30 Filling and sounding pipes for gasoline fuel tanks.

(a) Fill pipes shall be not less than 1½ inches nominal pipe size.

(b) Filling and sounding pipes shall be so arranged that overflow of liquid or vapor cannot escape to the inside of the vessel, but will discharge overboard. Sounding pipes may be omitted where sounding can be accomplished through the fill pipe or where marine type fuel gages are installed. Where sounding pipes are used, their openings shall be at least as high as the opening of the fill pipe and they shall be kept closed at all times except during sounding.

(c) Fill and sounding pipes shall run as directly as possible, preferably in a straight line, from the deck connection to the top of the tank. Such pipes shall terminate on the weather deck clear of any coamings and shall be fitted with shutoff valves, watertight deck plates or screw caps suitably marked for identification. Fill and sounding pipes shall extend to within one-half of their diameter from the bottom of the tank.

(d) Where a flexible fill pipe section is necessary, suitable flexible tubing or hose having high resistance to salt water, petroleum oils, heat and vibration, may be used. Such hose shall overlap metallic pipe ends at least 1½ times the pipe diameter and shall be secured at each end by two clamps of corrosion resistant metal. The flexible section shall be accessible and as near the upper end of the filling pipe as practicable. When the flexible section is a nonconductor of electricity, the metallic sections of the filling pipe separated thereby shall be joined by a conductor for protection against static spark when filling.

§ 182.15-35 Vent pipes for gasoline fuel tanks.

(a) Each tank shall be fitted with a vent pipe which shall be connected to the tank at its highest point under normal operating conditions.

(b) The net cross-sectional area of the vent pipe shall be not less than that of ¾-inch O.D. tubing (0.035 inch wall thickness—20 gage), except that, where provision is made to fill the tanks under pressure, the net cross-sectional area of the vent pipe shall be not less than that of the fill pipe.

(c) The discharge ends of vent pipes shall terminate on the hull exterior as high above the waterline as practicable and remote from any hull openings, or, they shall terminate in U-bends as high above the weather deck as practicable and as far from any openings into living quarters or other below deck spaces as practicable. Vent pipes terminating on the hull exterior shall be so installed or equipped as to prevent the accidental contamination of the fuel by water under normal operating conditions.

(d) The discharge ends of vent pipes shall be fitted with removable flame screens or flame arresters. The flame screens shall consist of a single screen of corrosion resistant wire of at least 30 x 30 mesh. The flame screens or flame arresters shall be of such size and design as to prevent reduction in the net cross-sectional area of the vent pipe and permit cleaning or renewal of the flame screens or arrester elements.

§ 182.15-40 Gasoline fuel supply piping.

(a) *Materials and workmanship.* (1) Fuel lines shall be annealed tubing of copper, nickel-copper, or copper-nickel having a minimum wall thickness of 0.035 inch.

(2) Where flexibility is necessary or desired, a reasonable length of suitable flexible hose may be used provided it is fitted with proper connection fittings and has high resistance to salt water, petroleum oils, heat and vibration and is adequately reinforced by metallic or non-metallic reinforcement.

(3) Tubing connections and fittings shall be of nonferrous drawn or forged metal of the flared type. Fittings depending solely on compression against the outside of the tube for tightness are prohibited. When making flared tube connections, the tubing shall be cut square and flared by suitable tools. Tube ends shall be annealed before flaring.

(4) Valves for fuel lines shall be of a suitable non-ferrous type. Cocks of any type are prohibited for use in gasoline fuel lines.

NOTE: It is recommended that valves for fuel lines be of the packless (diaphragm) type and that they be marked to indicate direction of operation.

(b) *Installation.* (1) Fuel lines shall be run at the level of the tank top to a point as close to the engine connection as practicable.

(2) Fuel lines shall be accessible, protected from mechanical injury, and effectively secured against excessive movement and vibration by the use of soft nonferrous metal straps with no sharp edges. Where passing through bulkheads, fuel lines shall be protected by close fitting ferrules or stuffing boxes.

(3) Shutoff valves, installed so as to close against the fuel flow, shall be fitted in the fuel supply lines, one at the tank connection and one at the engine end of the fuel line to stop fuel flow when servicing accessories. The shutoff valve at the tank shall be operable from outside the tank compartment preferably from an accessible position on the weather deck.

(4) A loop of copper tubing or a short length of flexible hose shall be installed in the fuel supply line at or near the engines. Such flexible hose shall be provided with suitable connection fittings and shall have a high resistance to salt water, petroleum oils, heat and vibration.

(5) A suitable metal marine type strainer shall be fitted in the fuel supply line in the engine compartment. Strainers shall be of the type opening on top for cleaning screens. A drip pan fitted with flame screen shall be installed under the strainer.

(6) All accessories installed in the fuel line shall be independently supported.

(7) Outlets in fuel lines for drawing fuel below deck for any purpose are prohibited.

§ 182.15-45 Ventilation of compartments containing gasoline machinery or fuel tanks.

(a) Spaces containing gasoline machinery or fuel tanks shall have natural supply and mechanical exhaust ventilation as required by this section, except

that, where engines and fuel tanks are not in closed compartments, at least one ventilation duct shall be installed in the fore part of the vessel and one in the after part of the vessel, both ducts having cowls or scoops as required by paragraph (h) of this section.

(b) The requirements for the mechanical exhaust system shall be such as to assure the air changes as noted in table 182.15-45(b) depending upon the size of the space.

TABLE 182.15-45(b)

Size of space, cubic feet		Minutes per air change
Over—	Not over—	
500.....	500	2
1,000.....	1,000	3
1,500.....	1,500	4
2,000.....	2,000	5

(c) Exhaust blower motors shall be outside of the ducts, and if mounted in any compartment required to be ventilated by this section, shall be located as high above the bilge as practicable. Blower blades shall be nonsparking with reference to their housings.

(d) Exhaust blower switches shall be located outside of any space required to be ventilated by this section, and shall be of the type interlocked with the ignition switch so that the blowers are started before the engine ignition is switched on. A red warning sign at the switch shall state that the blowers shall be operated prior to starting the engines for a sufficient time to insure at least one complete change of air in the compartments.

(e) The area of the ducts shall be such as to limit the air velocity to a maximum of 2,000 feet per minute. Ducts may be of any shape, provided that in no case shall one cross section dimension exceed twice the other.

(f) At least two inlet ducts shall be located at one end of the compartment and they shall extend to the lowest part of the compartment or bilge on each side. Similar exhaust ducts shall be led to the mechanical exhaust system from the lowest part of the compartment or bilge on each side of the compartment at the end opposite from that at which the inlet ducts are fitted. These ducts shall be so installed that ordinary collection of water in the bilge will not trap the ducts.

(g) All ducts shall be of rigid permanent construction of fire proof material and reasonably gastight from end to end. The ducts shall lead as direct as possible and be properly fastened and supported.

(h) All supply ducts shall be provided with cowls or scoops having a free area not less than twice the required duct area. When the cowls or scoops are screened, the mouth area shall be increased to compensate for the area of the screen wire. Dampers shall not be fitted in the supply ducts. Cowls or scoops shall be kept open at all times except when the stress of weather is such as to endanger the vessel if the openings are not temporarily closed. Supply and exhaust openings shall not be located where the natural flow of air is unduly obstructed, or adjacent to possible sources of vapor ignition, nor shall

they be so located that exhaust air may be taken into the supply vents. Provision shall be made for closing all cowls or scoops when the fixed carbon dioxide system is operated.

Subpart 182.20—Machinery Using Diesel Fuel

§ 182.20-1 Application.

(a) This subpart shall apply to all propulsion and auxiliary machinery installations of the internal combustion piston type which use Diesel fuel or other fuel having a flashpoint of over 110° F.

§ 182.20-5 General requirements.

(a) Generators, starting motors and other spark producing devices shall be mounted as high above the bilges as practicable.

(b) Gages to indicate engine cooling water discharge temperature and lubricating oil pressure shall be provided for all propulsion engines and located so as to be in view of the operator.

§ 182.20-10 Diesel engine cooling.

(a) Except as otherwise provided in this paragraph all engines shall be water cooled.

(1) Auxiliary engines with self-contained fuel systems may be air cooled when they are installed on open decks.

(2) Air cooled propulsion and auxiliary engines may be installed under deck when adequate compartment ventilation is provided and other necessary safeguards are taken so as not to endanger the vessel. (See § 182.20-45(b) for ventilation requirements.)

(b) The engine cooling water system shall be in accordance with the following provisions:

(1) The engine head, block and exhaust manifold shall be water jacketed and cooled by water from a pump which operates whenever the engine is operating.

(2) A closed fresh water system may be used to cool the engine. Air cooled radiators shall not be used for propulsion engine cooling systems.

(3) A suitable hull strainer shall be installed in the circulating water intake line.

§ 182.20-15 Diesel engine exhaust cooling.

(a) Except as otherwise provided in this paragraph, all engine exhaust pipes shall be water cooled.

(1) Dry pipe vertical exhausts are permissible if suitably insulated.

(2) Exhaust pipes on air cooled engines need not be water cooled but suitable insulation may be required.

(b) The exhaust pipe cooling water system shall be in accordance with the following provisions:

(1) Water for cooling the exhaust pipe shall be obtained from the engine cooling system or a separate engine driven pump.

(2) Water for cooling the exhaust pipe, other than a vertical exhaust, shall be injected into the exhaust system as near to the engine exhaust manifold as practicable. The water shall pass through the entire length of the exhaust pipe.

(3) That part of the exhaust system between the point of cooling water injection and the engine exhaust manifold shall be water jacketed or effectively insulated.

(4) Vertical exhaust piping shall be water jacketed, or suitably insulated, between the engine exhaust manifold and the spark arrester.

(5) When the exhaust cooling system is separate from the engine cooling system a suitable warning device shall be provided to indicate any failure of water flow in the exhaust cooling system. Such warning shall be visible or audible at the engine operating station.

(6) A suitable hull strainer shall be installed in the circulating water intake line.

§ 182.20-20 Diesel engine exhaust pipe, installation.

(a) Exhaust piping shall be led to the point of escape with a minimum number of bends or elbows. It shall be gas tight throughout its length and shall be properly supported by non-combustible hangers or blocks.

(b) The exhaust piping shall be so arranged as to prevent backflow of water from reaching engine exhaust ports under normal conditions.

(c) Where flexibility is necessary a section of flexible metallic hose may be used. Non-metallic hose may be used provided it is especially adapted to resist the action of oil, acid and heat, and has a wall thickness sufficient to prevent collapsing or panting.

(d) Where exhaust piping passes through watertight bulkheads the watertight integrity of the bulkhead shall be maintained. Non-combustible packing shall be used in bulkhead penetration glands. Water cooled exhaust pipes may be welded to steel bulkheads in way of penetrations if suitable arrangements are provided to relieve the stresses resulting from the expansion of the exhaust piping.

(e) Where exhaust piping passes through non-watertight combustible bulkheads or partitions non-combustible packing shall be used in bulkhead penetration glands or a minimum clearance of 2 inches shall be provided between the exhaust pipe and the bulkhead or partition.

(f) Vertical exhaust systems shall be provided with spark arresters. Spark arresters shall be supported by suitable steel hangers and shall be lagged with fire resistant material. A clearance of at least 9 inches shall be maintained between the spark arrester and any woodwork.

(g) Protective gratings shall be provided at such locations where persons or gear might come in contact with the exhaust pipe.

(h) Arrangements shall be made to provide access to the exhaust pipe throughout its length.

§ 182.20-22 Integral diesel fuel tanks.

(a) Fuel tanks may be built integral with the hull on steel hull vessels.

(b) Integral fuel tanks shall be constructed to the satisfaction of the Officer in Charge, Marine Inspection. The standards of a recognized classification society may be considered in determining the structural adequacy of an integral fuel tank.

(c) Integral fuel tanks, when new shall be subjected to and shall withstand a hydrostatic test pressure of 5 pounds per square inch, or to the maximum head to which they may be subjected in service whichever is greater.

§ 182.20-25 Independent diesel fuel tanks.

(a) *Material and construction.* (1) The materials used and the minimum thickness allowed in the construction of independent fuel tanks shall be as indicated in Table 182.20-25(a) (1), except that consideration will be given to other materials which provide equivalent safety.

(2) Tanks with flanged-up top edges, that may trap and hold moisture, shall not be used.

TABLE 182.20-25(a) (1)

Material	A.S.T.M. specification (latest edition)	Thickness in inches and gage number vs. tank capacities For—		
		1 to 80 gallon tanks	More than 80 and not more than 150 gallon tanks	Over 150 gallon tanks
Nickel-copper.....	B127, Hot Rolled Sheet or Plate.	0.037 (USSG 20) ¹	0.050 (USSG 18)	0.107 (USSG 12)
Steel or iron.....		.0747 (USSG 14)	.1046 (USSG 12)	.1875 (USSG 7)

¹ Nickel-copper not less than 0.031 inch (USSG 22) may be used for tanks up to 30-gallon capacity.

(3) Openings for fill and vent pipes and openings for fuel level gages, where used, shall be on the topmost surface of tanks. Tanks shall have no openings in bottoms, sides or ends except as follows:

(i) The opening for the fuel supply piping is not restricted to the top of the tank.

(ii) An opening fitted with threaded plug or cap may be used on the bottom of the tank for tank cleaning purposes.

(4) All tank joints shall be welded.

(5) Nozzles, flanges or other fittings for pipe connections shall be welded or brazed to the tank. The tank opening in way of pipe connections shall be properly reinforced where necessary. Where fuel level gages are used the flange to which gage fittings are attached shall be welded or brazed to the tank.

(6) All tanks exceeding 30 inches in any horizontal dimension shall be fitted with vertical baffle plates where necessary for strength or for control of excessive surge. In general, baffle plates

installed at intervals not exceeding 30 inches will be considered as meeting this requirement.

(7) Baffle plates, where required, shall be of the same material and not less than the minimum thickness required in the tank walls and shall be connected to the tank walls by welding or brazing.

(8) Iron or steel tanks shall not be galvanized on the interior. Galvanizing, paint or other suitable coating shall be used to protect the outside of iron and steel tanks.

(b) *Location and installation.* (1) Fuel tanks shall be located in, or as close as practicable, to engine compartments.

(2) Fuel tanks shall be so installed as to permit examination, testing, or removal for cleaning with minimum disturbance to the hull structure.

(3) Fuel tanks shall be adequately supported and braced to prevent movement. The supports and braces shall be insulated from contact with the tank surfaces with a non-abrasive and non-absorbent material.

(4) All fuel tanks shall be electrically bonded to the common ground.

(c) *Tests.* (1) Prior to installation, tanks shall be tested to and must withstand a pressure of 5 pounds per square inch or $1\frac{1}{2}$ times the maximum head to which they may be subjected in service. A standpipe of $11\frac{1}{2}$ feet in height attached to the tank may be filled with water to accomplish the 5 pounds per square inch test. Permanent deformation of the tank will not be cause for rejection unless accompanied by leakage.

(2) After installation of the fuel tank on a vessel the complete installation shall be tested in the presence of a marine inspector to a head not less than that to which the tank may be subjected in service. Fuel may be used as a testing medium.

§ 182.20-30 Filling and sounding pipes for diesel fuel tanks.

(a) Fill pipes shall be not less than $1\frac{1}{2}$ inches nominal pipe size.

(b) Filling and sounding pipes shall be so arranged that overflow of liquid or vapor cannot escape to the inside of the vessel, but will discharge overboard. Sounding pipes may be omitted where sounding can be accomplished through the fill pipe or where marine type fuel gages are installed. Where sounding pipes are used, their openings shall be at least as high as the opening of the fill pipe and they shall be kept closed at all times except during sounding.

(c) Fill and sounding pipes shall run as directly as possible, preferably in a straight line, from the deck connection to the top of the tank. Such pipes shall terminate on the weather deck clear of any coamings and shall be fitted with shutoff valves, watertight deck plates or screw caps suitably marked for identification. Fill and sounding pipes may terminate at the top of the tank.

(d) Where a flexible fill pipe section is necessary, suitable flexible tubing or hose having high resistance to salt water, petroleum oils, heat and vibration, may be used. Such hose shall overlap metallic pipe ends at least $1\frac{1}{2}$ times the pipe

diameter and shall be secured at each end by two clamps of corrosion resistant metal. The flexible section shall be accessible and as near the upper end of the filling pipe as practicable. When the flexible section is a nonconductor of electricity, the metallic sections of the filling pipe separated thereby shall be joined by a conductor for protection against static spark when filling.

§ 182.20-35 Vent pipes for diesel fuel tanks.

(a) Each fuel tank shall be fitted with a vent pipe which shall be connected to the tank at its highest point under normal operating conditions.

(b) The minimum net cross-sectional area of the vent pipe shall be as follows:

(1) Not less than the cross-sectional area of $\frac{3}{4}$ -inch O.D. tubing (0.035-inch wall thickness—20 gage), if the fill pipe terminates at the top of the tank.

(2) Not less than the cross-sectional area of $\frac{3}{4}$ -inch O.D. tubing (0.035-inch wall thickness—20 gage), if the fill pipe extends into the tank.

(3) Not less than the cross-sectional area of the fill pipe if provision is made to fill the tank under pressure.

(c) The discharge ends of vent pipes shall terminate on the hull exterior as high above the waterline as practicable and remote from any hull openings, or, they shall terminate in U-bends as high above the weather deck as practicable and as far from any openings into living quarters or other below deck spaces as practicable. Vent pipes terminating on the hull exterior shall be so installed or equipped as to prevent the accidental contamination of the fuel by water under normal operating conditions.

(d) The discharge ends of vent pipes shall be fitted with removable flame screens or flame arresters. The flame screens shall consist of a single screen of corrosion resistant wire of at least 30 x 30 mesh. The flame screens or flame arresters shall be of such size and design as to prevent reduction in the net cross-sectional area of the vent pipe and permit cleaning or renewal of the flame screens or arrester elements.

§ 182.20-40 Diesel fuel supply piping.

(a) *Material and workmanship.* (1) Fuel supply piping shall be of copper, nickel-copper, or copper nickel having a minimum wall thickness of 0.035 inch except that piping of other materials which provide equivalent safety may be used. Ferrous pipe or tubing will be permitted and reasonable lengths of flexible hose may be used provided it is fitted with suitable connection fittings and has high resistance to salt water, petroleum oils, heat and vibration and is adequately reinforced by metallic or non-metallic reinforcement.

(2) Standard fittings shall be used for ferrous piping and tubing.

(3) Non-ferrous tubing connections and fittings shall be drawn or forged metal of the flared type. Fittings depending solely on compression against the outside of the tube for tightness are prohibited. When making flared tube connections, the tubing shall be cut square and flared by suitable tools. Tube ends shall be annealed before flaring.

(4) Cocks of any type are prohibited for use in fuel lines.

NOTE: It is recommended that valves for fuel lines be marked to indicate direction of operation.

(b) *Installation.* (1) The fuel supply line may be connected to the fuel tank at or near the bottom of the tank.

(2) Fuel lines shall be accessible, protected from mechanical injury, and effectively secured against excessive movement and vibration by the use of soft non-ferrous metal straps with no sharp edges. Where passing through bulkheads, fuel lines shall be protected by close fitting ferrules or stuffing boxes.

(3) Shutoff valves, installed so as to close against the fuel flow, shall be fitted in the fuel supply lines, one at the tank connection and one at the engine end of the fuel line to stop fuel flow when servicing accessories. The shutoff valve at the tank shall be operable from outside the tank compartment, preferably from an accessible position on the weather deck.

(4) A loop of tubing or a short length of flexible hose shall be installed in the fuel supply line at or near the engines. Such flexible hose shall be provided with suitable connection fittings and shall have a high resistance to salt water, petroleum oils, heat and vibration.

(5) A suitable marine type strainer shall be fitted in the fuel supply line in the engine compartment. No special fuel strainers other than those recommended or furnished by the engine manufacturer will be required. Drip pans fitted with flame screens may be required under fuel strainers other than those mounted on the engine.

(6) All accessories installed in the fuel line shall be independently supported.

(7) Valves for removing water or impurities from fuel in watertraps or strainers will be permitted. Such valves shall be provided with caps or plugs to prevent fuel leakage.

§ 182.20-45 Ventilation of compartments containing diesel machinery.

(a) Spaces containing machinery shall be fitted with adequate dripproof ventilators, trunks, louvers, etc. to provide sufficient air for proper operation of main engines and auxiliary engines.

(b) Air-cooled propulsion and auxiliary engines installed below deck as permitted by § 182.20-10 shall be fitted with air intake ducts or piping from the weather deck. The ducts or piping shall be so arranged and supported to be capable of safely sustaining stresses induced by weight and engine vibration and to minimize transfer of vibration to the supporting structure. Prior to installation of ventilation for such engines, plans or sketches showing machinery arrangement including air intakes, exhaust stack, method of attachment of ventilation ducts to the engine, location of spark arresting mufflers and capacity of ventilation blowers shall be submitted to the Commandant for approval.

(c) Spaces containing machinery shall be fitted with at least two ducts to furnish natural or mechanical supply and exhaust ventilation. One duct shall

extend to a point near the bottom of the compartment, so installed that the ordinary collection of water in the bilge will not trap the duct. Where forced ventilation is installed, the duct extending near the bottom shall be the exhaust. The total inlet area and the total outlet area of ventilation ducts shall each be not less than one square inch for each foot of beam of the vessel. These minimum areas shall be increased as necessary when such ducts are considered as part of the air supply to the engines.

(d) All ducts shall be of rigid permanent construction of fire proof material and reasonably gastight from end to end. The ducts shall lead as direct as possible and be properly fastened and supported.

(e) All supply ducts for ventilation purposes shall be provided with cowls or scoops having a free area not less than twice the required duct area. When the cowls or scoops are screened, the mouth area shall be increased to compensate for the area of the screen wire. Dampers shall not be fitted in the supply ducts. Cowls or scoops shall be kept open at all times except when the stress of weather is such as to endanger the vessel if the openings are not temporarily closed. Supply and exhaust openings shall not be located where the natural flow of air is unduly obstructed, or adjacent to possible sources of vapor ignition, nor shall they be so located that exhaust air may be taken into the supply vents.

§ 182.20-50 Ventilation or venting of compartments containing diesel fuel tanks.

(a) Except as otherwise provided in this paragraph enclosed compartments or spaces containing diesel fuel tanks and no machinery shall be provided with a gooseneck vent of not less than 2½ inches in diameter. Vent openings shall not be located adjacent to possible sources of vapor ignition.

(1) In small compartments or spaces a vent of not less than 1½ inches in diameter may be provided.

(2) Compartments which are adequately ventilated need not be provided with such gooseneck vents.

Subpart 182.25—Bilge System

§ 182.25-1 General.

(a) All vessels shall be provided with a satisfactory arrangement for draining any watertight compartment other than small buoyancy compartments, under all practical conditions. Sluice valves are not permitted in watertight bulkheads.

§ 182.25-5 Bilge piping system.

(a) All vessels of 26 feet in length and over shall be provided with individual bilge lines and bilge suction for each watertight compartment except as follows:

(1) The space forward of the collision bulkhead need not be fitted with a bilge suction line when the arrangement of the vessel is such that ordinary leakage may be removed from this compartment by the use of a hand portable bilge pump

or other equipment and such equipment is provided.

(b) The bilge pipe shall be not less than one inch nominal pipe size, and the bilge suction shall be fitted with suitable strainers having an open area not less than three times the area of the bilge pipe.

(c) The individual bilge suction lines shall be led to a central control point or manifold. Each line shall be provided with a stop valve at the control point or manifold and in addition shall be provided with a check valve at some accessible point in the bilge line. A stop-check valve located at the control point or manifold will meet the require-

ments for both a stop valve and a check valve.

(d) The bilge pipe piercing the collision bulkhead shall be fitted with a screw-down valve located on the forward side of the collision bulkhead and operable from above the weather deck. In lieu thereof, a screw-down valve without a reach rod may be fitted to the bilge line on the after side of the collision bulkhead if it is readily accessible under service conditions.

§ 182.25-10 Bilge pumps.

(a) All vessels shall be provided with bilge pumps in accordance with Table 182.25-10(a).

TABLE 182.25-10(a)

Number of passengers	Length	Bilge pumps required	Minimum capacity required (gallons per minute)
Vessels carrying more than 49 passengers and all ferry vessels.	All.....	1 fixed power pump..... and 1 portable hand pump.....	25 GPM 5 GPM
Vessels other than ferry vessels carrying not more than 49 passengers.	26 feet and over.....	1 fixed power pump..... or 1 fixed hand pump..... and 1 portable hand pump.....	10 GPM 5 GPM
		1 portable hand pump.....	5 GPM
	Less than 26 feet.....	1 portable hand pump.....	5 GPM

(b) The fixed power bilge pump shall be self priming and may be driven off the main engine or other source of power. It shall be permanently connected to the bilge main and may also be connected to the fire main. If of sufficient capacity the power bilge pump may also serve as a fire pump.

(c) The fixed hand bilge pump shall be permanently connected to the bilge main and may also be connected to the fire main.

(d) The portable hand bilge pump shall be provided with suitable hoses for pumping bilges on the suction and discharge ends. This pump may also serve as a portable fire pump if it is of sufficient capacity.

Subpart 182.30—Steering Apparatus

§ 182.30-1 Main steering apparatus.

(a) All vessels except non-self-propelled vessels shall be provided with suitable steering apparatus.

§ 182.30-5 Auxiliary steering apparatus.

(a) Except as further modified in this section, all single screw vessels in ocean and coastwise service shall be provided with an auxiliary steering arrangement located above the weather deck. A suitable hand tiller will be acceptable for this purpose.

(b) Auxiliary steering will not be required where no regular rudder is fitted and steering action is obtained by a change of setting of the propelling unit, or where a rudder and tiller is the normal means of steering.

Subpart 182.35—Separation of Machinery and Fuel Tank Spaces From Accommodation Spaces

§ 182.35-1 Bulkheads.

(a) Except as otherwise provided in this section, machinery and fuel tank

spaces shall be separated from accommodation spaces by watertight and/or vapor tight bulkheads of double diagonal wood, marine plywood, steel plate, or equivalent construction.

(b) Where segregation can be obtained by means of a watertight and/or vapor tight engine box, this will be accepted as a substitute for the required bulkheads.

PART 183—ELECTRICAL INSTALLATION

Subpart 183.01—Application and Intent

Sec.

- 183.01-1 Application.
- 183.01-5 Intent.
- 183.01-10 Special consideration for vital systems.
- 183.01-15 General standards and requirements.

Subpart 183.05—Electrical Installations Operating at Potentials of Less Than 50 Volts

- 183.05-1 Application.
- 183.05-5 Name plates (less than 50 volts).
- 183.05-10 Generators and motors (less than 50 volts).
- 183.05-15 Switchboards (less than 50 volts).
- 183.05-20 Batteries (less than 50 volts).
- 183.05-25 Radio-phone equipment (less than 50 volts).
- 183.05-30 Circuit breakers (less than 50 volts).
- 183.05-35 Accessories (less than 50 volts).
- 183.05-40 Ignition wiring (installations less than 50 volts).
- 183.05-45 Lighting and power wiring size, insulation, etc. (less than 50 volts).
- 183.05-50 Lighting and power wiring installation (less than 50 volts).

Subpart 183.10—Electrical Installations Operating at Potentials of 50 Volts or More

- 183.10-1 Application.
- 183.10-5 Generators and motors (50 volts or more).
- 183.10-10 Equipment protection and enclosure (50 volts or more).

- Sec.
 183.10-15 Main distribution panels (50 volts or more).
 183.10-20 Wiring methods and materials (50 volts or more).
 183.10-25 Disconnect switches and devices (50 volts or more).
 183.10-30 Distribution and circuit loads (50 volts or more).
 183.10-35 Overcurrent protection, general (50 volts or more).
 183.10-40 Overcurrent protection for motors and motor branch circuits.
 183.10-45 Electric heating and cooking equipment (50 volts or more).
 183.10-50 Shore power (50 volts or more).

AUTHORITY: §§ 183.01-1 to 183.10-50 issued under sec. 3, 70 Stat. 152; 46 U.S.C. 390b. Other statutory provisions interpreted or applied are cited to text in parentheses.

Subpart 183.01—Application and Intent

§ 183.01-1 Application.

(a) The provisions of this part shall apply to the electrical installations on all vessels contracted for on or after June 1, 1958. Electrical installations on vessels contracted for prior to that date shall meet the requirements of this part insofar as is deemed reasonable and practicable by the Officer in Charge, Marine Inspection.

(R.S. 4405, as amended, 4417, as amended, 4418, as amended, 4426, as amended, 4453, as amended, 4462, as amended, 4488, as amended; 46 U.S.C. 375, 391, 392, 404, 435, 416, 481)

§ 183.01-5 Intent.

(a) This part is intended to provide a minimum standard of regulations for electrical installations and equipment that will result in a vessel that is reasonably safe from fire caused by and/or originating in electrical equipment, and reasonably safe from electrical shock of personnel.

§ 183.01-10 Special consideration for vital systems.

(a) Electrical equipment and circuits which are a necessary part of any system vital to the safe navigation of the vessel, such as propulsion and steering systems, will be given special consideration and shall be subject to certain additional requirements as determined by the Officer in Charge, Marine Inspection. These additional requirements are contained in applicable regulations in Subchapter J (Electrical Engineering) of this chapter.

§ 183.01-15 General standards and requirements.

(a) All electrical installations shall be to the satisfaction of the Officer in Charge, Marine Inspection.

(b) The regulations contained in this Part are substantially in accord with, and in general are based upon established codes and recognized marine standards

and practices. Certain of these codes and publications are referred to specifically in some regulations in this part. A list of the publications follows:

(1) Electrical Engineering Regulations, CG-259, published by United States Coast Guard.

(2) Recommended Practice for Electric Installations On Shipboard, AIEE No. 45, published by American Institute of Electrical Engineers, 33 West Thirty-ninth Street, New York 18, N.Y.

(3) National Electrical Code, published by National Fire Protection Association, 60 Batterymarch Street, Boston 10, Mass.

(4) Standard for Marine Type Electric Lighting Fixtures, Subject 595, published by Underwriters' Laboratories, Inc., 207 East Ohio Street, Chicago 11, Ill.

(5) Standard for Commercial Electric Cooking Appliances, published by Underwriters' Laboratories, Inc., 207 East Ohio Street, Chicago 11, Ill.

Subpart 183.05—Electrical Installations Operating at Potentials of Less Than 50 Volts

§ 183.05-1 Application.

(a) The regulations in this Subpart apply to electrical installations operating at potentials of less than 50 volts. Regulations covering electrical installations of 50 volts or more are contained in Subpart 183.10 of this part.

§ 183.05-5 Name plates (less than 50 volts).

(a) Each generator, motor and other major items of power equipment shall be provided with a name plate indicating the maker's name, its rating in volts and amperes or in volts and watts and when intended for connection to a normally grounded supply, the grounding polarity.

§ 183.05-10 Generators and motors (less than 50 volts).

(a) Generators and motors shall be placed in dry, accessible and adequately ventilated locations.

(b) Independent generators and motors should be mounted on foundations as high as practicable above the bilges to avoid damage by splash or contact with low lying vapors. They shall not be located in low or pocketed positions.

(c) All generators shall be suitably protected from overcurrent by circuit breakers, fuses or by an overcurrent relay.

(d) Overcurrent protection of a third-brush type generator shall open the field circuit.

(e) An emergency switch shall be provided in the normally ungrounded main supply conductor from the battery and located as closely as practicable to the supply battery.

§ 183.05-15 Switchboards (less than 50 volts).

(a) Switchboards shall be placed in dry, accessible and adequately ventilated locations preferably outside the engine compartment. The switchboard shall be adequately protected and provision shall be made for access thereto. All uninsulated current carrying parts shall be mounted on nonabsorbent, non-combustible, high dielectric insulating material.

(b) Totally enclosed switchboards of the dead front type shall be used whenever they are accessible to passengers.

(c) Each ungrounded conductor of circuit supplying lights, motors or appliances shall be equipped with a circuit breaker or switch and fuses at the point of attachment to the power source. This applies also to added circuits.

(d) Switches other than those mounted on the switchboard shall be of the enclosed type.

(e) If the storage battery is not in the same compartment and adjacent to the panel or box which distributes power to the various lighting, motor and appliance branch circuits the storage battery lead shall be fused close to the battery.

§ 183.05-20 Batteries (less than 50 volts).

(a) Batteries shall be so located that the gas generated in charging will be easily dissipated by natural or induced ventilation. Batteries should not be located in the same compartment with a gasoline tank or gasoline engine, but where location elsewhere is impracticable, they shall be effectively screened by a cage or similar structure to minimize the danger of accidental spark through dropping a metal object across terminals.

(b) Batteries shall be located as high above the bilge as practicable and secured against shifting with motion of the boat. They shall be accessible with not less than 10 inches head room.

(c) Battery terminals shall be of the soldered lug type and all connections shall be made to the battery terminals with permanent type connectors. Spring clips or other temporary type clamps are not permitted.

(d) Acid batteries shall be located in a tray of lead or other suitable material resistant to deteriorating action by the electrolyte.

(e) Alkaline batteries employing metal containers shall be mounted on suitable insulating support and shall be prevented from coming in contact with other metal which may result in a short circuit.

(f) A battery charger intended for connection to a commercial supply voltage shall employ a transformer of the isolating type. An ammeter that is

readily visible shall be included in the battery charger circuit.

(g) A voltage dropping resistor provided for charging a battery shall be mounted in a suitable ventilated non-combustible enclosure, so installed as to prevent hazardous temperatures at adjacent combustible materials.

§ 183.05-25 Radio-phone equipment (less than 50 volts).

(a) A separate circuit, fused at the main distribution panel shall be provided for each radio-phone installation.

(b) The supply cable to the radio-phone installation shall be large enough to carry the current under any condition of normal operation.

§ 183.05-30 Circuit breakers (less than 50 volts).

(a) Circuit breakers, of the proper voltage rating, shall be of the manually reset type designed for inverse time delay, instantaneous short circuit protection and capable of repeatedly opening the circuit in which it is to be used without damage to the circuit breaker.

§ 183.05-35 Accessories (less than 50 volts).

(a) Accessories, such as switches, fuses, and sockets, shall be standard National Electrical Code types for the loads to be carried and shall be of types listed by, or types equal to those listed by Underwriters' Laboratories, Inc., or other recognized testing laboratory.

(b) All lights, receptacles and switches exposed to the weather shall be watertight and on vessels operating in salt water, shall be constructed of corrosion-resistant material.

§ 183.05-40 Ignition wiring (installations less than 50 volts).

(a) Ignition wiring as supplied or recommended by engine manufacturers is generally acceptable.

§ 183.05-45 Lighting and power wiring size, insulation, etc. (less than 50 volts).

(a) Wiring sizes for lighting and power shall be in accordance with Table 183.05-45(a).

TABLE 183.05-45(a).—ALLOWABLE CURRENT-CARRYING CAPACITIES OF CONDUCTORS BASED ON ROOM TEMPERATURE OF 30° C., 86° F.

[See National Electrical Code for other sizes]

Size gage No. A.W.G.	Area in circular mils	Capacity of wire	
		Rubber insulated types R, RW, RU (sizes 12-6)—Thermoplastic insulated types T, TW (all sizes)	Rubber insulated type RH
		Amperes	Amperes
14.....	4, 107	15	15
12.....	6, 530	20	20
10.....	10, 380	30	30
8.....	16, 510	40	45
6.....	26, 250	55	65
4.....	41, 740	70	85
3.....	52, 630	80	100
2.....	66, 370	95	115
1.....	83, 690	110	130

NOTE: (1) The current-carrying capacities listed in this table are for 1-, 2-, and 3-conductor cables; 80 percent of these capacities must be used for 4-, 5-, and 6-conductor cables, and 70 percent for 7-, 8-, and 9-conductor cables. (2) The allowable current-carrying capacities in this table are based on temperature alone and do not take voltage drop into consideration.

(b) As a precaution against rupture by vibration, all conductors shall be of the stranded type, except where type MI cable is employed, and no conductor smaller than No. 14 A.W.G. shall be used except for short fixture leads or intercommunication wiring as set forth in paragraph (k) of this section.

(c) Table 183.05-45(c) indicates the size of conductor required for corresponding lengths and steady state (stable) values to obtain a voltage drop

of not more than 10 percent at the load terminals of a two conductor circuit. Other values can be computed by means of the following formula:

$$cm = \frac{K \times I \times L (\times 2 \text{ for two-wire circuit})}{E} \quad (1)$$

Where:

cm = Circular-mil area of conductor.

K = 10.75 (a constant representing the mil-foot resistance of copper).

I = Load current, in amperes.

L = Length of conductor from center of distribution, in feet.

E = Voltage drop at load, in volts.

TABLE 183.05-45(c).—CONDUCTOR SIZES FOR AMPERES—LENGTHS

Total current on circuit, amperes	Length of conductor in feet from source of current to most distant fixture										
	10	15	20	25	30	35	40	45	50	55	60
6 volts, 2-wire—10 percent drop wire sizes (A.W.G.)											
5.....	14	14	14	12	12	12	10	10	10	10	8
10.....	14	12	10	10	8	8	8	8	6	6	6
15.....	12	10	8	8	8	6	6	6	4	4	4
20.....	10	8	6	6	6	6	4	4	4	4	3
25.....	10	8	6	4	4	4	4	4	3	3	2
12 volts, 2-wire—10 percent drop wire sizes (A.W.G.)											
5.....	14	14	14	14	14	14	14	14	12	12	12
10.....	14	14	14	12	12	12	10	10	10	10	8
15.....	14	14	12	10	10	10	8	8	8	8	8
20.....	12	12	10	10	8	8	8	8	6	6	6
25.....	10	10	10	8	8	8	6	6	6	6	4

(d) After computing the circular-mil area required, reference may be made to Table 183.05-45(a) for selection of the required conductor gage size. When the computed circular-mil area is found to be less than any value given in the table, the next larger size conductor shall be used.

(e) Light and power conductors for interior wiring shall be insulated in accordance with Table 183.05-45(e).

TABLE 183.05-45(e).—CONDUCTOR INSULATIONS

Type letter ¹	Trade name	Insulation	Thickness of insulation		Outer covering	Maximum operating temperature	Special provisions
R.....	Code.....	Code—rubber.....	14-12 10 8-2 1	3/64 in. 3/64 in. 3/64 in. 3/64 in.	Moisture-resistant, flame-retardant, fibrous covering.	60° C. 140° F.	General use.
RW.....	Moisture-resistant.....	Moisture-resistant rubber.....	14 8-2 1	3/64 in. 3/64 in. 3/64 in.	Moisture-resistant, flame-retardant, fibrous covering.	60° C. 140° F.	General use and wet locations.
RU.....	Latex.....	90% unmilled grainless rubber.	14-10 8-6	18 mils. 25 mils.	Moisture-resistant, flame-retardant, fibrous covering.	60° C. 140° F.	General use.
RH.....	Heat-resistant.....	Heat-resistant rubber.....	14-12 10 8-2 1	3/64 in. 3/64 in. 3/64 in. 3/64 in.	Moisture-resistant, flame-retardant, fibrous covering.	75° C. 167° F.	General use.
T.....	Thermoplastic.....	Flame-retardant thermoplastic compound.	14-10 8 6-2 1	3/64 in. 3/64 in. 3/64 in. 3/64 in.	None.....	60° C. 140° F.	General use.
TW.....	Moisture-resistant, thermoplastic.	Flame-retardant, moisture-resistant thermoplastic.	14-10 8 6-2 1	3/64 in. 3/64 in. 3/64 in. 3/64 in.	None.....	60° C. 140° F.	General use and wet locations.

¹ See National Electrical Code issued by National Fire Protection Association, 60 Batterymarch Street, Boston, 10, Mass.

(f) Where desired, non-metallic sheathed multiple conductor cable may be employed instead of individual conductors.

(g) Lead sheathed unarmored conductors and conductors armored with spiral wound flat metal stripping shall not be used.

(h) Conductors armored with metallic basket weave, with or without inside lead sheathing, depending upon location, in accordance with the A.I.E.E.

standard No. 45, Recommended Practice for Electrical Installations on Shipboard, may be used.

(i) Where desired, metallic sheathed cable type MI, as defined in the National Electrical Code, may be used. (This standard may be obtained from National Fire Protection Association, 60 Batterymarch St., Boston 10, Mass.)

(j) Conductors, from receptacles to fixtures, shall be flexible cord in accordance with Tables 183.05-45(j) (1) and 183.05-45(j) (2).

TABLE 183.05-45(j)(1)—FLEXIBLE CORDS

Type letter ¹	Trade name	Size A.W.G.	Number of conductors	Conductor insulation	Outer covering	Use
S.....					Rubber.....	
SO.....	Hard service cord.	18 to 10 inclusive	2 or more	Rubber thermoplastic	Oil resistant compound.	Pendant or portable lamp places. Extra hard usage.
ST.....					Thermoplastic.	

¹ See National Electrical Code issued by National Fire Protection Association, 60 Batterymarch Street, Boston 10, Mass.

TABLE 183.05-45(j)(2)—ALLOWABLE CURRENT-CARRYING CAPACITY OF FLEXIBLE CORD

Size A.W.G.	Amperes
18.....	7
16.....	10
14.....	15
12.....	20
10.....	25

(k) For intercommunication wiring, rubber or thermoplastic covered single braid IC cable, type RF-32 (rubber covered fixture wire— $\frac{1}{32}$ -in. installation) stranded and not smaller than No. 16 A.W.G. or equivalent shall be used. Commercial bell wire shall not be used.

§ 183.05-50 Lighting and power wiring installation (less than 50 volts).

(a) **Wiring.** (1) All wiring shall be run as high as practicable above bilges.

(2) Wiring, where subject to mechanical damage shall be protected in accordance with the National Electrical Code: article 352 for metal raceways, article 346 for conduit, and article 348 for metallic tubing.

(b) **Wiring joints and splices.** (1) Wiring joints and splices shall be mechanically secure and made in junction boxes.

(2) Unless a splice is made by an insulated pressure wire connector listed by Underwriters' Laboratories, Inc., it shall be thoroughly soldered, taped first with rubber and then with friction tape, or the soldered joint shall be otherwise protected as to provide an insulation the same as that of the conductors joined.

(3) Where ends of stranded conductors are to be clamped under terminal screws, they shall be formed and soldered unless fitted with pressure terminal connectors listed by Underwriters' Laboratories, Inc.

(c) **Conductors.** (1) Conductors shall be protected from overcurrent in accordance with their current-carrying capacities as given in Table 183.05-45(a).

NOTE: Overcurrent protection for conductors is provided for the purpose of opening

the electric circuit if the current reaches a value which will cause an excessive or dangerous temperature in the conductor or conductor insulation.

(2) The conductors supplying motors and motor operated appliances shall be protected by a separate overcurrent device which is responsive to motor current. This device shall be rated or set at not more than 125 percent of the motor full-load current rating.

(d) **Grounding.** (1) On metal vessels the enclosures and frames of all major electrical equipment shall be permanently grounded to the metal hull of the vessel by the mounting bolts or other means. The term "grounded" in this case means that a normally non-current carrying conductor is used to connect the non-current carrying metal enclosures or frames of the electrical equipment to any metal area which is electrically continuous with the wetted surface of the metal hull (for example, a metal enclosure would be considered as grounded if it was attached to a metal bulkhead by metal bolts, and if the bulkhead was welded or bolted to a metal hull).

(2) On wooden vessels, bonding together of the enclosures and frames of major electrical equipment to a common ground shall be effected. This means that a normally non-current carrying conductor is used to connect the non-current carrying metal enclosures or frames of major electrical equipment to a common, electrically-continuous, metal network that takes the place of a metal hull.

(3) For grounded systems the negative polarity of the supply source should be grounded to the metal hull or, for wooden vessels, connected to the common ground, but shall not normally carry current.

(4) On a wooden vessel where a ground plate is provided for radio equipment it shall be connected to the common ground.

(5) For grounded systems, the use of hull return is not recommended except for engine starting purposes.

Subpart 183.10—Electrical Installations Operating at Potentials of 50 Volts or More

§ 183.10-1 Application.

(a) The regulations in this subpart apply to electrical installations operating at potentials of 50 volts or more. Regulations covering electrical installations of less than 50 volts are contained in Subpart 183.05 of this part.

§ 183.10-5 Generators and motors (50 volts or more).

(a) Each major generator and motor shall be fitted with a nameplate of corrosion-resistant material marked with the following information as applicable:

- (1) Name of manufacturer.
- (2) Manufacturer's type and frame designation.
- (3) Output in KW or watts or horsepower rating.
- (4) Kind of rating (continuous, intermittent, etc.).
- (5) Revolutions per minute at rated load.

- (6) Amperes at rated load.
- (7) Voltage.
- (8) Frequency if applicable.
- (9) Number of phases, if applicable.
- (10) Type of winding (for direct-current motors).

(b) Generators and motors shall be mounted as high as practicable above the bilges to avoid damage by splash or contact with low lying vapors. They shall not be located in low or pocketed position.

(c) Generators and motors for use below decks shall be located in as dry a place as practicable.

(d) Motors for use in locations exposed to the weather shall be of the watertight type or shall be enclosed in watertight housings. The motor enclosure or housing shall be provided with a check valve for drainage or a tapped hole at the lowest part of the frame which will serve for application of a drain pipe or drain plug.

(e) Generators and motors for use in machinery spaces shall generally be designed for an ambient temperature of 50° C. Generators and motors for use in locations where the ambient temperature will not exceed 40° C may be designed for an ambient temperature of 40° C.

(1) If it can be substantiated that the ambient temperature in machinery spaces will not exceed 40° C under normal operating conditions, the motors and generators may be designed for an ambient temperature of 40° C.

(2) Generators and motors designed for 40° C may be used in 50° C ambient locations provided the machines are derated to 80 percent of full load rating, and the rating or setting of the overcurrent devices is reduced accordingly. An additional nameplate specifying the derated capacity shall be provided for each such motor and generator.

(f) A voltmeter and an ammeter shall be provided that can be used for measuring voltage and current of each generator that is in operation. For alternating-current generators a means for

measuring frequency shall also be provided. Additional control equipment and measuring instruments shall be provided as necessary to insure satisfactory operation of the generator or generators.

§ 183.10-10 Equipment protection and enclosure (50 volts or more).

(a) Except as provided otherwise in this subpart, all electrical equipment including motors, generators, controllers, distribution panels, etc., shall be drip-proof protected. Drip-proof protected means that equipment and machinery is so constructed or protected that its successful operation is not interfered with when subjected to falling moisture or dirt, and rotating or uninsulated parts cannot be inadvertently touched or approached nearer than a safe distance by any person.

(b) Equipment mounted on a hinged door of an enclosure shall be constructed or shielded in such a manner that no live parts of the door mounted equipment will be exposed to accidental contact by a person with the door open and the circuit energized.

(c) Any cabinet, panel, or box containing more than one source of potential in excess of 24 volts shall be fitted with a permanent sign warning personnel of this condition and identifying the circuits to be disconnected to remove all potentials in excess of 24 volts.

(d) Distribution panel boards shall be the safety type.

§ 183.10-15 Main distribution panels (50 volts or more).

(a) The main distribution panel is that device to which the generator leads are connected, and from which the electric leads throughout the vessel directly or indirectly receive their electric power.

(1) If the main distribution panel is floor mounted and is not drip-proof protected, it is considered to be a switchboard.

(b) Switchboards shall be fitted with driphoods and non-conducting hand rails. Non-conducting mats or grating shall be provided on deck in front and rear of switchboards.

(c) Adequate working space shall be provided around all main distribution panels and switchboards. Not less than 24" shall be provided in front of main distribution panels and switchboards and not less than 18" shall be provided in the rear of switchboards that are accessible from the rear.

(d) Metal cases of instruments and secondary windings of instrument transformers shall be grounded.

(e) Main distribution panels shall be placed in dry, accessible, and adequately ventilated locations preferably outside the engine compartment. All uninsulated current carrying parts shall be mounted on nonabsorbent, noncombustible, high dielectric insulating material.

(f) Main distribution panels shall be of the dead front type where voltage to ground is in excess of 150 volts A.C. or 250 volts D.C.

§ 183.10-20 Wiring methods and materials (50 volts or more).

(a) All wiring and cables shall be suitable for marine use and shall be con-

structed in accordance with Section 18 and 54 of AIEE Standard No. 45, latest revision. (This standard may be obtained from the American Institute of Electrical Engineers, 33 W. 39th Street, New York 18, N.Y.)

(b) Electric cables for installation in damp or wet locations shall be leaded and armored, reinforced sheathed and armored, impervious sheathed and armored, or mineral insulated-metal

sheathed. The armor of cables subject to salt water or spray shall be either bronze or aluminum and the sheath of mineral insulated-metal sheathed cable shall be seamless annealed copper.

(c) The maximum current-carrying capacities of electric lighting and power cables for continuous service are given in Table 183.10-20(c), and no cable shall be permitted to carry a current continuously in excess of these values.

TABLE 183.10-20(c)—WIRES AND CABLES—MAXIMUM CURRENT-CARRYING CAPACITIES, FOR CONTINUOUS SERVICE

Conductor size		Current in amperes								
		1-conductor			2-conductor			3-conductor		
		R	VC	AVC	R	VC	AVC	R	VC	AVC
Area (circular mils)	Nearest A.W.G.									
212,000	4/0	241	310	345	193	254	283	169	215	239
168,000	3/0	208	273	304	167	223	248	148	187	208
133,000	2/0	180	237	264	145	194	214	130	163	181
106,000	1/0	155	206	229	128	170	189	112	142	158
83,700	1	133	177	197	111	148	165	98	122	135
66,400	2	115	152	169	96	128	142	86	106	118
52,600	3	99	132	147	85	111	124	75	92	102
41,700	4	85	114	127	74	97	108	66	80	89
33,100	5	71	99	110	64	85	95	57	70	78
26,300	6	63	86	96	56	74	82	49	61	67
20,800	7	54	74	82	49	64	71	44	52	58
16,500	8	46	66	73	42	55	61	39	46	51
10,400	10	34	49	54	32	42	47	29	35	39
6,530	12	24	32	35	22	27	30	21	23	26
4,110	14	15		20	14		19	13		17

(d) All wiring shall be run as high as practicable above bilges.

(e) All cables installed where particularly liable to damage such as locations in way of doors, hatches, etc., shall be specially protected by removable metal coverings, angle irons, pipe, or other equivalent means. All such metallic coverings are to be electrically continuous and effectively grounded to the metal hull or common ground, and all such coverings such as pipe which may trap moisture shall be provided with holes for drainage. Where cable protection is carried through watertight decks or bulkheads, the installation shall be such that will insure the watertight integrity of the structure.

(f) Cables entering boxes or fittings shall be protected from abrasion, and shall conform with the following requirements:

(1) Openings through which conductors enter shall be adequately closed.

(2) The cable armor shall be secured to the box or fitting.

(3) In damp or wet locations, the cable entrance shall be watertight.

(g) The enclosures of all equipment shall be permanently grounded to the metal hull of the vessel by the mounting bolts or other means. The term "grounded" in this case means that a normally non-current carrying conductor is used to connect the non-current carrying metal enclosures of electrical equipment to any metal area which is electrically continuous with the wetted surface of the metal hull (for example, a metal enclosure would be considered as grounded if it was attached to a metal bulkhead by metal bolts, and if the bulkhead was welded or bolted to a metal hull). On a wooden vessel, bonding together of the enclosures to a common ground shall be effected. This means that a normally non-current carrying

conductor is used to connect the non-current carrying metal enclosures of electrical equipment to a common, electrically-continuous, metal network that takes the place of a metal hull.

(1) On a wooden vessel where a ground plate is provided for radio equipment it shall be connected to this common ground.

(2) When a vessel is connected to shore power, a bonding cable may be used to connect the metal hull or on wooden vessels the common ground, to shore ground.

(h) Each lead covered cable and each armored cable is to have the metallic covering electrically and mechanically continuous and grounded to the metal hull, or on wooden vessels, bonded to the common ground provided by paragraph (g) of this section, at each end of the run, except that final sub-circuits may be grounded at the supply end only.

(i) All equipment, including switches, fuses, lampholders, etc., shall be of a type designed for the potential involved and so identified.

(j) Junction boxes, connection boxes, and outlet boxes, shall have an internal depth of at least 1½ inches, except that when a box is incorporated in a fixture the depth may be decreased to not less than 1 inch provided the volume of the box is not less than 20 cubic inches. The free space within such boxes for each conductor, not counting fixture wires, shall not be less than that given in Table 183.10-20(j). Table 183.10-20(j) applies where no fittings or devices, such as cable clamps, hickeyes, switches or receptacles are contained in the box. Where one or more such devices are contained in the box, each such device shall count as one conductor. Each conductor terminated in the box is counted as one conductor.

TABLE 183.10-20(j)

A.W.G. size of conductor No.	Free space for each conductor in box, cubic inches
14.....	2.0
12.....	2.25
10.....	2.50
8.....	3.0

(k) Junction boxes, connection boxes, and outlet boxes, for use in damp or wet locations shall be of watertight construction.

(l) Lighting fixtures shall be constructed in accordance with the requirements of Underwriters' Laboratories, Inc. Standard for Marine Type Electric Lighting Fixtures, Subject 595, or shall bear the proper Underwriters' Laboratories, Inc. "Marine Type" label, or shall be constructed in accordance with the requirements of other recognized testing laboratories.

(m) A separate circuit, fused at the main distribution panel shall be provided for each radiophone installation.

(n) Knife switches shall be so placed or designed that gravity or vibration will not tend to close them. Knife switches, unless of the double throw type, shall be connected so that the blades are dead when the switch is in the open position. Circuits shall be connected to the fuse end of switches and to the coil end of circuit breakers, except that generator leads or incoming feeders may be connected to either end of circuit breakers.

(o) Receptacle outlets and attachment plugs for the attachment of portable lamps, tools, and similar apparatus supplies as ship's equipment and operating at 100 volts or more, shall provide a grounding pole and a grounding conductor in the portable cord, to ground the non-current carrying metal parts of the portable apparatus. Port-

able apparatus shall be deemed to be any apparatus served by means of a flexible extension cord, whether the apparatus is permanently mounted or not.

(1) Receptacle outlets of the type providing a grounded pole shall be of a distinctive design that will not permit the dead metal parts of portable apparatus to be connected to a live conductor.

§ 183.10-25 Disconnect switches and devices (50 volts or more).

(a) Externally operable switches or circuit breakers shall be provided for motor and controller circuits and shall open all conductors of the circuit.

(1) If the disconnect means is not within sight of the equipment which the circuit supplies and is at a location accessible to passengers, means shall be provided for locking the disconnect device in the "open" position.

(2) For circuits protected by fuses, the disconnect switch required for fuses in § 183.10-35(b) will be considered as adequate for disconnecting the circuit from the supply.

(3) The disconnect means may be in the same enclosure with motor controllers.

(b) Disconnect means shall be provided to open all conductors of generator and shore power cables.

§ 183.10-30 Distribution and circuit loads (50 volts or more).

(a) In general the electrical source located within the vessel and distribution system shall not be grounded. That is, a current carrying conductor, or a part of the system electrically continuous with any current-carrying conductor, shall not be intentionally connected, directly or indirectly, to the metal hull, or on wooden vessels to the common ground. An electrical installation that has any current carrying conductor intentionally

connected, directly or indirectly to the metal hull, or on wooden vessels to the common ground, shall be subject to certain additional requirements as determined by the Officer in Charge, Marine Inspection. These additional requirements are contained in applicable regulations in Subchapter J (Electrical Engineering) of this chapter.

(1) Figure 183.10-30(a)(1) shows a typical two wire electrical system showing various acceptable methods of circuit and equipment protection and control.

(2) All circuits are to be completely metallic and hull return shall not be used.

(3) The shore power source may be either ungrounded or grounded.

(b) The connected load on a lighting branch circuit shall not exceed 880 watts, computed on the basis of the lamp sizes to be installed, but in no case less than 50 watts per outlet. Circuits supplying electric discharge lamps shall be computed on the basis of ballast input current.

(c) The branch circuit cables for motor and lighting loads shall be not smaller than No. 14 AWG.

§ 183.10-35 Overcurrent protection, general (50 volts or more).

(a) Overcurrent protection shall be provided for each conductor for the purpose of opening the electric circuit if the current reaches a value which will cause an excessive or dangerous temperature in the conductor or conductor insulation.

(b) Disconnect means shall be provided on the supply side of and adjacent to all fuses for the purpose of deenergizing the fuses for inspection and maintenance purposes.

(1) All disconnect means shall open all conductors of the circuit simultaneously.

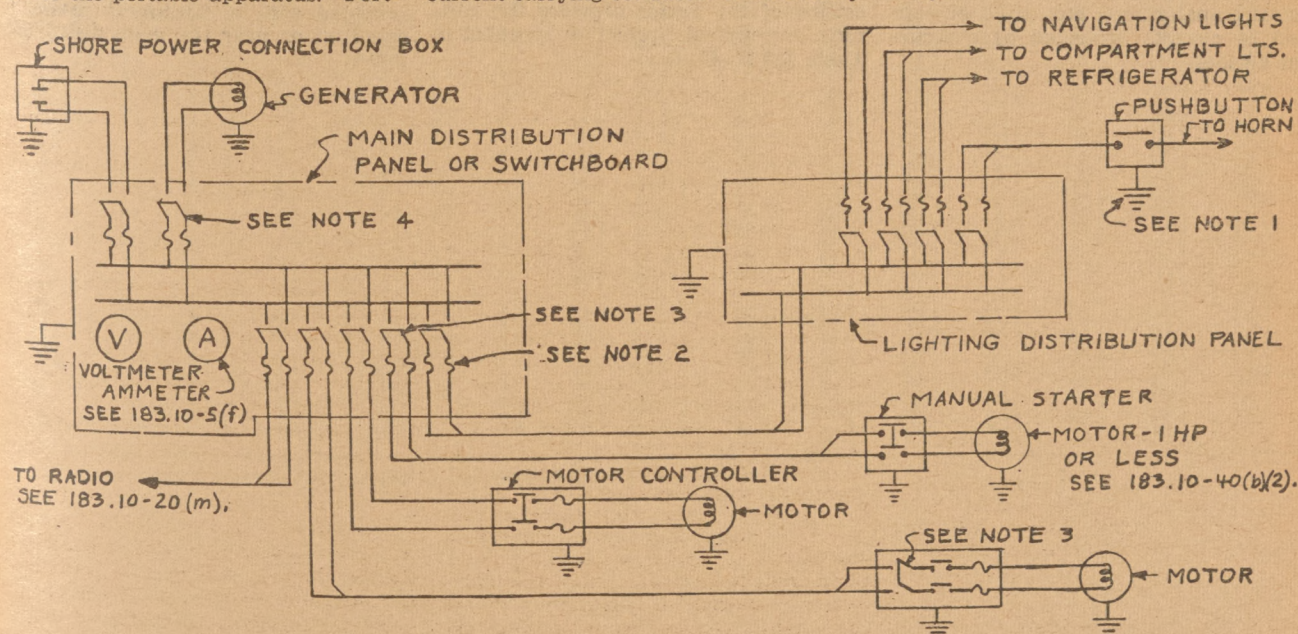


FIGURE 183.10-30(a)(1)—Typical ungrounded electrical system.

NOTES: 1. Ground symbol indicates a metallic connection to the vessel's metal hull, or, on wooden vessels it indicates bonding to the common ground. (See § 183.10-20(g).)

2. Circuit breakers may be used in lieu of switches and fuses.

3. Disconnect means not within sight of equipment to be dis-

connected, which is accessible to passengers, shall be provided with means for locking in the open position. (See § 183.10-25(a)(1).)

4. A double pole-double throw switch with one set of fuses may be used for disconnecting the generator and shore power cables. (See § 183.10-25(b).)

(c) Conductors, including generator leads and shore power cables, shall be protected in accordance with current-carrying capacities, as given in Table 183.10-20(c).

(1) If the allowable current-carrying capacity of the conductor does not correspond to a standard size fuse, the next larger size or rating may be used but not exceeding 150 percent of the allowable current-carrying capacity of the conductor. Plug (screw in type) fuses and fuseholders shall not be used in circuits exceeding 125 volts between conductors. The screw shell of plug type fuseholders shall be connected to the load of the circuit. Edison base fuses shall not be used.

NOTE: Edison base fuses are those having threads like those on an ordinary light bulb.

(2) If the allowable current-carrying capacity of the conductor does not correspond to a standard rating of circuit breakers, the next larger rating may be used but not exceeding 150 percent of the allowable current-carrying capacity of the conductor.

(d) Lighting branch circuits shall be protected against over-current either by fuses rated at not more than 10 amperes or by circuit breakers rated or set at not more than 15 amperes.

(e) Circuit breakers of the proper voltage rating shall be of the manually reset type designed for inverse time delay, instantaneous short circuit protection and capable of repeatedly opening the circuit in which it is to be used without damage to the circuit breaker.

(1) Circuit breakers shall indicate whether they are in the open or closed position.

(f) Devices such as instruments, pilot lights, ground detector lights, potential transformers, etc., shall be supplied by circuits protected by overcurrent devices.

(g) Each generator shall be protected with an overcurrent device set at a value not exceeding 15 percent above the full-load rating for continuous rated machines or the overload rating for special rated machines.

§ 183.10-40 Overcurrent protection for motors and motor branch circuits.

(a) All motors shall be provided with running protection against overcurrent in accordance with Table 183.10-40(a). A protective device integral with the motor which is responsive to motor current or to both motor current and temperature may be used.

(b) Overcurrent devices shall be installed to protect the motor branch circuit conductors, the motor control apparatus, and the motors against overcurrent due to short circuits or grounds.

(1) The motor branch circuit overcurrent device shall be capable of carrying the starting current of the motor. Overcurrent protection shall be considered as being obtained when this overcurrent device has a rating or setting not exceeding the values given in Table 183.10-40(a).

(2) Each manually started continuous duty motor rated at one horsepower or less which is within sight from the starter location, shall be considered as protected against overcurrent by the overcurrent device protecting the conductors of the branch circuit. This branch circuit overcurrent device shall not be larger than that specified by Table 183.10-40(a), except that any such motor may be used at 125 volts or less on a branch circuit protected at 20 amperes.

(c) Motor branch circuit overcurrent protection and motor-running overcurrent protection may be combined in a single overcurrent device if the rating or setting of the device provides the running overcurrent protection specified in Table 183.10-40(a).

§ 183.10-45 Electric heating and cooking equipment (50 volts or more).

(a) Electric space heaters for heating rooms and compartments shall be provided with thermal cutouts to prevent overheating. Heaters shall be so constructed and installed to prevent the hanging of towels, clothing, etc. on the heaters, and to prevent overheating of heater parts and adjacent bulkheads or decks.

(b) All electric cooking equipment, attachments, and devices, shall be of rugged construction and so designed as to permit complete cleaning, maintenance, and repair.

(1) Doors shall be provided with heavy duty hinges and locking devices to prevent accidental opening in heavy seas.

(2) Electric cooking equipment shall be mounted to prevent dislodgement in heavy seas, and for grill or similar type cooking equipment means shall be provided to effect positive grease or fat collection and to prevent spillage on wiring or deck.

(3) Where necessary for safety of personnel, grab rails shall be provided. Electric ranges shall be provided with sea rails with suitable barriers to resist accidental cook pot movement.

(4) Unspecified construction and circuit details shall be in accordance with Underwriters' Laboratories, Inc., Standard for Commercial Electric Cooking Appliances.

§ 183.10-50 Shore power (50 volts or more).

(a) At a convenient location, a shore power connection box or receptacle shall be permanently installed and a cable connecting this box or receptacle to the main distribution panels shall be permanently installed.

(1) The shore power cable shall be provided with a disconnect means located on or near the main distribution panel.

TABLE 183.10-40(a)—CONDUCTOR SIZE AND OVERCURRENT PROTECTION FOR MOTORS

Full-load current rating of motor in amperes	Minimum size conductor AWG and MCM									For running protection of motors (amperes) ¹		Maximum allowable rating or setting of branch circuit protective devices (amperes)							
	1-conductor			2-conductor			3-conductor			Maximum rating of nonadjustable protective devices	Maximum setting of adjustable protective devices	With code letters F to V, inclusive, or without code letters: Single-phase and squirrel cage and synchronous, full voltage, resistor and reactor starting		With code letters B to E, inclusive: Single-phase and squirrel cage and synchronous, full voltage resistor or reactor starting. With code letters F to V, inclusive: Auto-transformer starting. Without code letters: Squirrel cage and synchronous, auto-transformer starting; high reactance squirrel cage. (Both not more than 30 amperes)		With code letters B to E, inclusive: Squirrel cage and synchronous, auto-transformer starting; high reactance squirrel cage. (Both more than 30 amperes)		With code letter A: all motors. Without code letters: Direct-current and wound rotor motors	
	R	VO	AVC	R	VO	AVC	R	VO	AVC										
Fuses	Circuit breakers (non-adjustable trip)	Fuses	Circuit breakers (non-adjustable trip)	Fuses	Circuit breakers (non-adjustable trip)	Fuses	Circuit breakers (non-adjustable trip)	Fuses	Circuit breakers (non-adjustable trip)										
1	14	12	14	14	12	14	14	12	14	2	1.25	15	15	15	15	15	15	15	15
2	14	12	14	14	12	14	14	12	14	3	2.50	15	15	15	15	15	15	15	15
3	14	12	14	14	12	14	14	12	14	4	3.75	15	15	15	15	15	15	15	15
4	14	12	14	14	12	14	14	12	14	6	5.04	15	15	15	15	15	15	15	15
5	14	12	14	14	12	14	14	12	14	8	6.25	15	15	15	15	15	15	15	15
6	14	12	14	14	12	14	14	12	14	8	7.50	20	15	15	15	15	15	15	15
7	14	12	14	14	12	14	14	12	14	10	8.75	25	20	20	15	15	15	15	15
8	14	12	14	14	12	14	14	12	14	10	10.00	25	20	20	20	20	20	15	15
9	14	12	14	14	12	14	14	12	14	12	11.25	30	30	25	20	20	20	15	15
10	14	12	14	14	12	14	14	12	14	15	12.50	30	30	25	20	20	20	15	15
11	14	12	14	14	12	14	14	12	14	15	13.75	35	30	30	30	25	30	20	20
12	14	12	14	14	12	14	14	12	14	15	15.00	40	30	30	30	25	30	20	20
13	12	12	14	12	12	14	12	12	14	20	16.25	40	40	35	30	30	30	20	20
14	12	12	14	12	12	14	12	12	14	20	17.50	45	40	35	30	30	30	25	30
15	12	12	14	12	12	14	12	12	14	20	18.75	45	40	40	30	30	30	25	30
16	12	12	14	12	12	14	12	12	14	20	20.00	50	40	40	40	35	40	25	30
17	12	12	12	12	12	12	10	12	12	25	21.25	60	50	45	40	35	40	30	30
18	12	12	12	12	12	12	10	12	12	25	22.50	60	50	45	40	40	40	30	30
19	12	12	12	12	12	12	10	10	12	25	23.75	60	50	60	40	40	40	30	30
20	10	12	12	12	10	10	10	10	12	25	25.00	60	50	60	40	40	40	30	30
22	10	12	12	10	10	10	10	10	10	30	27.50	70	70	60	50	45	50	35	40
24	10	12	12	10	10	10	10	10	10	30	30.00	80	70	60	50	50	50	40	40
26	10	10	12	8	10	10	8	10	10	35	32.50	80	70	70	70	60	70	40	40
28	8	10	12	8	10	10	8	10	10	35	35.00	90	70	70	70	60	70	45	50
30	8	10	10	8	10	10	8	8	10	40	37.50	90	100	80	70	60	70	45	50
32	8	10	10	8	10	10	7	8	8	40	40.00	100	100	80	70	70	70	50	50
34	8	10	10	7	8	10	7	8	8	45	42.50	110	100	90	70	70	70	60	70
36	8	10	10	7	8	10	6	8	8	45	45.00	110	100	90	100	80	100	60	70
38	7	10	10	7	8	8	6	7	8	50	47.50	125	100	100	100	80	100	60	70
40	7	8	10	6	8	8	5	7	8	50	50.00	125	100	100	100	80	100	60	70
42	7	8	10	6	8	8	5	6	7	50	52.50	125	125	110	100	90	100	70	70
44	6	8	8	6	8	8	5	6	7	60	55.00	125	125	110	100	90	100	70	70
46	6	8	8	5	7	8	4	6	6	60	57.50	150	125	125	100	100	100	70	70
48	6	8	8	5	7	8	4	6	6	60	60.00	150	125	125	100	100	100	80	100
50	6	8	8	5	7	7	4	5	6	60	62.50	150	125	125	100	100	100	80	100
52	5	8	8	4	6	7	4	5	6	70	65.00	175	150	150	125	110	125	80	100
54	5	7	8	4	6	7	3	5	5	70	67.50	175	150	150	125	110	125	90	100
56	5	7	8	4	6	7	3	5	5	70	70.00	175	150	150	125	125	125	90	100
58	4	7	8	4	6	6	3	4	5	70	72.50	175	150	150	125	125	125	90	100
60	4	6	7	3	5	6	3	4	5	80	75.00	200	150	150	125	125	125	90	100
62	4	6	7	3	5	6	2	4	5	80	77.50	200	175	175	125	125	125	100	100
64	4	6	7	3	5	6	2	4	4	80	80.00	200	175	175	150	150	150	100	100
66	4	6	6	3	5	5	2	3	4	80	82.50	200	175	175	150	150	150	100	100
68	4	6	6	3	5	5	2	3	4	90	85.00	225	175	175	150	150	150	110	125
70	3	5	6	2	4	5	1	3	4	90	87.50	225	175	175	150	150	150	110	125
72	3	5	6	2	4	5	1	3	3	90	90.00	225	200	200	150	150	150	110	125
74	3	5	6	2	4	5	1	2	3	100	92.50	225	200	200	150	150	150	125	125
76	3	5	5	1	3	4	0	2	3	100	95.00	250	200	200	175	175	175	125	125
78	3	5	5	1	3	4	0	2	3	100	97.50	250	200	200	175	175	175	125	125
80	2	4	5	1	3	4	0	2	2	110	100.00	250	200	200	175	175	175	125	125
82	2	4	5	1	3	4	0	2	2	110	102.5	250	225	225	175	175	175	125	125
84	2	4	5	1	3	4	0	2	2	110	105.0	250	225	225	175	175	175	150	150
86	2	4	5	1	3	4	0	1	2	110	107.5	300	225	225	175	175	175	150	150
88	2	4	5	1	3	3	0	1	2	110	110.0	300	225	225	200	200	200	150	150
90	2	4	4	0	2	3	0	1	2	110	112.5	300	225	225	200	200	200	150	150
92	2	3	4	0	2	3	0	1	2	125	115.0	300	250	250	200	200	200	150	150
94	1	3	4	0	2	3	0	1	2	125	117.5	300	250	250	200	200	200	150	150
96	1	3	4	0	2	3	0	1	1	125	120.0	300	250	250	200	200	200	150	150
98	1	3	4	0	2	3	0	1	1	125	122.5	300	250	250	200	200	200	150	150
100	1	3	4	0	2	2	0	0	1	125	125.0	300	250	250	200	200	200	150	150

¹ For running protection of motors 1 horsepower or less, see § 183.10-40(b) (2).

PART 184—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT

Subpart 184.01—Application and Intent

Sec.

- 184.01-1 Application.
184.01-5 Intent.

Subpart 184.05—Cooking and Heating

- 184.05-1 Restrictions.

Subpart 184.10—Mooring Equipment

- 184.10-1 Anchors, cables and hawsers.

Subpart 184.15—Navigation Lights and Shapes, Whistles, Fog Horns, and Fog Bells

- 184.15-1 Requirements in Rules of the Road.

Subpart 184.20—Compass

- 184.20-1 Vessels required to have compasses.

Subpart 184.25—Radio

- 184.25-1 Requirements of the Federal Communications Commission.

Subpart 184.30—Emergency Lighting

- 184.30-1 Portable lights.

Subpart 184.35—Engine Control

- 184.35-1 Engineroom communication system.

Subpart 184.40—Work Vests

- 184.40-1 Approved unicellular plastic foam work vests.
184.40-5 Use.
184.40-10 Stowage.
184.40-15 Inspections.

AUTHORITY: §§ 184.01-1 to 184.40-15 issued under sec. 3, 70 Stat. 152; 46 U.S.C. 390b. Other statutory provisions interpreted or applied are cited to text in parentheses.

Subpart 184.01—Application and Intent

§ 184.01-1 Application.

(a) The provisions of this part shall apply to all vessels except as specifically noted in this part.

(R.S. 4405, as amended, 4426, as amended, 4462, as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 375, 404, 416, 526p)

§ 184.01-5 Intent.

(a) The intent of this part is to insure that the vessel control systems and the miscellaneous systems and equipment required herein shall be suitable for the purpose intended.

Subpart 184.05—Cooking and Heating

§ 184.05-1 Restrictions.

(a) Cooking and heating equipment shall be suitable for marine use.

(b) The use of liquefied petroleum gas for cooking, heating, or other purposes is prohibited on all vessels.

(c) The use of gasoline for cooking, heating or lighting is prohibited on all vessels.

(R.S. 4472, as amended, 4488, as amended; 46 U.S.C. 170, 481)

Subpart 184.10—Mooring Equipment

§ 184.10-1 Anchors, cables, and hawsers.

(a) All vessels shall be fitted with such ground tackle and hawsers as deemed

necessary by the Officer in Charge, Marine Inspection, depending upon the size of the vessel, the waters on which it operates, and other operating hazards.

(R.S. 4488, as amended; 46 U.S.C. 481)

Subpart 184.15—Navigation Lights and Shapes, Whistles, Fog Horns, and Fog Bells

§ 184.15-1 Requirements in Rules of the Road.

(a) All vessels shall be fitted with navigation lights and shapes, whistles, fog horns, and fog bells as prescribed by law and regulation.

Subpart 184.20—Compass

§ 184.20-1 Vessels required to have compasses.

(a) Except as otherwise provided in this section, every vessel shall be fitted with a suitable compass.

(b) The following vessels need not be fitted with a compass:

- (1) Vessels in river service.
- (2) Non-self-propelled vessels.
- (3) Vessels operating in protected waters with short restricted routes.

Subpart 184.25—Radio

§ 184.25-1 Requirements of the Federal Communications Commission.

(a) Radio transmitting and receiving installations or radiotelephones are required on certain vessels carrying passengers. Details of the application of this requirement as well as the details of the installation shall be as set forth in the regulations of the Federal Communications Commission (47 CFR Ch. 1).

(b) If any violations of regulations enforced by the Federal Communications Commission are noted by the marine inspector, the owner and that agency shall be notified. A proper certificate issued by the Federal Communications Commission shall be regarded as evidence that the radio installation, if any, is in compliance with the requirements of that agency.

Subpart 184.30—Emergency Lighting

§ 184.30-1 Portable lights.

(a) Vessels not equipped with an emergency lighting system shall be equipped with a suitable number of portable battery lights.

Subpart 184.35—Engine Control

§ 184.35-1 Engineroom communication system.

(a) An efficient communication system shall be provided between the principal steering station and the engineroom on vessels which are not equipped with pilothouse controls where in the opinion of the Officer in Charge, Marine Inspection, such a system is necessary for proper operation of the vessel.

Subpart 184.40—Work Vests

§ 184.40-1 Approved unicellular plastic foam work vests.

(a) Buoyant work vests carried under the permissive authority of this subpart shall be of a Coast Guard approved type.

(b) Specifications for approved type work vests are in Subpart 160.053 of

Subchapter Q—Specifications, of this chapter.

(R.S. 4426, as amended, 4488, as amended, 4491, as amended; 46 U.S.C. 404, 481, 489)

§ 184.40-5 Use.

(a) Approved buoyant work vests are considered to be items of safety apparel and may be carried aboard vessels to be worn by crew members when working near or over the water under favorable working conditions. They shall be used under the supervision and control of a responsible person. When carried, such vests shall not be accepted in lieu of any portion of the required number of approved life preservers and shall not be substituted for the approved life preservers required to be worn during drills and emergencies.

§ 184.40-10 Stowage.

(a) The approved buoyant work vests shall be stowed separately from the regular stowage of approved life preservers.

(b) The locations for the stowage of work vests shall be such as not to be easily confused with that for approved life preservers.

§ 184.40-15 Inspections.

(a) Each work vest shall be subject to examination by a marine inspector to determine its serviceability. If found to be satisfactory, it may be continued in service, but shall not be stamped by a marine inspector with a Coast Guard stamp. If a work vest is found not to be in a serviceable condition, then such work vest shall be removed from the vessel. If a work vest is beyond repair, it shall be destroyed or mutilated in the presence of a marine inspector so as to prevent its continued use as a work vest.

PART 185—OPERATIONS

Subpart 185.01—Application and Intent

Sec.

- 185.01-1 Application.
185.01-5 Intent.

Subpart 185.05—Penalties

- 185.05-1 General.

Subpart 185.10—Exhibition of License

- 185.10-1 Operator's license.

Subpart 185.15—Notice of Casualty

- 185.15-1 When required.

Subpart 185.17—Reckless or Negligent Operation

- 185.17-1 Prohibited by law.

Subpart 185.19—Accident Assistance

- 185.19-1 Duty of operator.

Subpart 185.20—Miscellaneous Operating Requirements

- 185.20-1 Compliance with provisions of certificate of inspection.
185.20-5 Rules of the Road.
185.20-10 Steering gear tests.
185.20-15 Hatches.
185.20-20 Vessels carrying vehicles.
185.20-25 Fueling of vessels using fuel having a flash point of 110° F., or lower (gasoline, etc.).

Subpart 185.25—Preparations for Emergencies

- 185.25-1 Emergency instructions.
185.25-5 Recommended emergency check-off lists.

Sec.
185.25-10 Drills.
185.25-15 Operator's responsibilities.

Subpart 185.30—Markings Required

185.30-1 Hull markings.
185.30-5 Lifesaving gear.
185.30-10 Life preserver stowage.
185.30-15 Escape hatches and emergency exits.
185.30-20 Fuel shutoff valves.
185.30-25 Watertight doors and watertight hatches.

AUTHORITY: §§ 185.01-1 to 185.30-25 issued under sec. 3, 70 Stat. 152; 46 U.S.C. 390b. Other statutory provisions interpreted or applied are cited to text in parentheses.

Subpart 185.01—Application and Intent

§ 185.01-1 Application.

(a) The provisions of this part shall apply to all vessels except as specifically noted in this part.

§ 185.01-5 Intent.

(a) The intent of this part is to insure that all vessels be operated in accordance with applicable laws and regulations and in such a manner as to afford adequate precaution against hazards of an emergency nature which might endanger the vessel and the persons being transported.

Subpart 185.05—Penalties

§ 185.05-1 General.

(a) The marine safety and criminal statutes provide penalties for the violation of the applicable provisions of this subchapter, which penalties, depending upon the gravity of the violation, are as follows:

(1) Assessment and collections of civil monetary penalty.

(2) Criminal prosecution where no loss of life results.

(3) Criminal prosecution for manslaughter where loss of life results from violation of statute or regulation, or from misconduct, negligence, or inattention to duty.

(4) Libel against vessel.

(b) In addition to the foregoing, any licensed or certificated personnel committing an act of misbehavior, negligence, unskillfulness, endangering life, violation of marine safety statutes or regulations or requirements thereunder, and incompetency shall be subject to proceedings under the provisions of R.S. 4450, as amended (46 U.S.C. 239), and regulations thereunder (Part 137 of this chapter) with respect to suspension or revocation of license or certificate.

Subpart 185.10—Exhibition of License

§ 185.10-1 Operator's license.

(a) The operator of any vessel subject to the regulations in this subchapter shall have his license as operator in his possession and available for examination at all times when the vessel is being operated.

Subpart 185.15—Notice of Casualty

§ 185.15-1 When required.

(a) The owner, or person in charge of a vessel involved in a marine casualty

shall give notice as soon as possible to the nearest marine inspection office of the United States Coast Guard whenever the casualty results in any of the following:

(1) Damage to property in excess of \$1,500.

(2) Major damage affecting the seaworthiness or efficiency of a vessel, its machinery or its equipment.

(3) Loss of life.

(4) Injury causing any person to remain incapacitated for a period in excess of 72 hours.

(R.S. 4450, as amended, 46 U.S.C. 239)

Subpart 185.17—Reckless or Negligent Operation

§ 185.17-1 Prohibited by law.

(a) Subsection 13(a) of the Act of April 25, 1940, as amended (46 U.S.C. 5267), applies to all vessels inspected under this subchapter and reads as follows:

No person shall operate any motorboat or any vessel in a reckless or negligent manner so as to endanger the life, limb, or property of any person. To "operate" means to navigate or otherwise use a motorboat or a vessel.

(Sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 526p)

Subpart 185.19—Accident Assistance

§ 185.19-1 Duty of operator.

(a) Subsection 13(b) of the Act of April 25, 1940, as amended (46 U.S.C. 5267), applies to all vessels inspected under this subchapter and reads as follows:

In the case of collision, accident, or other casualty involving a motorboat or other vessel subject to this Act, it shall be the duty of the operator, if and so far as he can do so without serious danger to his own vessel, or persons aboard, to render such assistance as may be practicable and necessary to other persons affected by the collision, accident, or casualty in order to save them from danger caused by the collision, accident, or casualty. He shall also give his name, address, and identification of his vessel to any person injured and to the owner of any property damaged. The duties imposed by this subsection shall be in addition to any duties otherwise provided by law.

(Sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 526p)

Subpart 185.20—Miscellaneous Operating Requirements

§ 185.20-1 Compliance with provisions of certificate of inspection.

(a) It shall be the duty of the person in charge of the vessel to see that all of the provisions of the certificate of inspection are strictly adhered to. Nothing in this subpart shall be construed as limiting the person in charge, at his own responsibility, from diverting from the route prescribed in the certificate of inspection or taking such other steps as he deems necessary and prudent to assist vessels in distress or for other similar emergencies.

(R.S. 4405, as amended, 4421, as amended, 4426, as amended, 4462, as amended, 4463, as amended, 4464, as amended, sec. 26, 41 Stat. 998, as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 375, 399, 404, 416, 222, 451, 882, 526p)

§ 185.20-5 Rules of the Road.

(a) Persons operating these vessels shall comply with the applicable sections of the Rules of the Road covering the waters on which the vessel is navigated.

§ 185.20-10 Steering gear tests.

(a) Every vessel before getting underway, for its day's operation shall have its steering gear, signaling whistle, controls or communication system tested by the operator.

§ 185.20-15 Hatches.

(a) It shall be the duty of the person in charge of any vessel to assure himself before getting underway, for a voyage on unprotected waters, that all exposed hatches are properly secured.

§ 185.20-20 Vessels carrying vehicles.

(a) Automobiles or other vehicles shall be stowed in such a manner as to permit both passengers and operators to get out and away from them freely in the event of fire or other disaster. The decks, where necessary, shall be definitely marked with painted lines to indicate the vehicle runways and the aisle spaces.

(b) The person in charge shall take any necessary precautions to see that automobiles or other vehicles have their motors turned off and their emergency brakes set when the vessel is underway, and the motors shall not be started until the vessel is secured to the landing. In addition, the vehicles at each end shall have their wheels securely blocked, while the vessel is being navigated.

(c) The person in charge shall have appropriate "NO SMOKING" signs posted and shall take all necessary precautions to prevent smoking or carrying of lighted or smoldering cigars, cigarettes, etc., in the deck area assigned to automobiles or other vehicles.

§ 185.20-25 Fueling of vessels using fuel having a flash point of 110° F., or lower (gasoline, etc.).

(a) Vessels using fuel having a flash point of 110° F., or lower, shall not take on fuel when passengers are on board.

Subpart 185.25—Preparations for Emergencies

§ 185.25-1 Emergency instructions.

(a) Except as otherwise provided in this section, it shall be the duty of the operator in charge of any vessel subject to the regulations in this subchapter to prepare and post emergency checkoff lists in a conspicuous place accessible to crew and passengers.

(b) Except where all or a part of the emergency instructions are deemed unnecessary by the Officer in Charge, Marine Inspection, the emergency checkoff list shall contain not less than the applicable portions of the "Recommended Emergency Checkoff List," § 185.25-5.

§ 185.25-5 Recommended emergency checkoff lists.

(a) *Rough weather at sea or crossing hazardous bars.* (1) Close all watertight and weathertight doors, hatches, and airports to prevent taking water aboard.

(2) Keep bilges dry to prevent loss of stability due to water in bilges.

(3) Keep passengers seated and evenly distributed.

(4) Have passengers put on life preservers if the going becomes very rough or you are about to cross a hazardous bar.

(5) Never abandon a vessel (particularly a wooden boat) unless actually forced to do so.

(6) If assistance is needed use the International Distress call over radiotelephone or call the Coast Guard immediately.

(7) Prepare life floats for launching.
(b) *Man overboard.* (1) Throw a ring buoy overboard as close to the person as possible.

(2) Post a lookout to keep the person overboard in sight.

(3) Maneuver the vessel to pick up the person in the water.

(4) Have crew member put on life-jacket, attach a safety line to him and have him standby to jump into the water to assist the person overboard if necessary.

(5) If person is not immediately located notify Coast Guard and other vessels in vicinity by radiotelephone.

(6) Continue search until released by Coast Guard.

(c) *Fire at sea.* (1) Cut off air supply to fire—close hatches, ports, doors, and ventilators, etc.

(2) Immediately use portable fire extinguishers at base of flames for inflammable liquid or grease fires or water for fires in ordinary combustible materials.

(3) If fire is in machinery spaces shut off fuel supply and ventilation and discharge fixed CO₂ if installed.

(4) Maneuver vessel to minimize effect of wind on fire.

(5) If unable to control fire, immediately notify the Coast Guard and other boats in the vicinity by radiotelephone, etc.

(6) Move passengers away from fire, have them put on life preservers, and if necessary, prepare to abandon ship.

§ 185.25-10 Drills.

(a) The person in charge shall conduct such drills and give such instructions as are necessary to insure that all hands are familiar with their duties.

§ 185.25-15 Operator's responsibilities.

(a) Nothing in the recommended emergency instructions in this subpart shall exempt any operator from the exercise of good judgment in any emergency situation.

Subpart 185.30—Markings Required

§ 185.30-1 Hull markings.

(a) The following markings are required by the Customs Regulations. Details of the application of the requirements as well as details of the required markings will be found in those regulations. Therefore, documented vessels shall have the following markings (block letters and numerals not less than 4 inches high, except for draft marks which are 6 inches high):

(1) The name of the vessel on both bows and the stern.

(2) Hailing port—On the stern.

(3) Draft marks—On the stem and stern of all vessels 50 gross tons and over.

(4) Official Number—On the vessel's main beam.

(5) Net Tonnage—On the vessel's main beam.

(b) Undocumented vessels shall carry the number awarded by the Coast Guard or other proper authority on both bows. The number shall be in block characters of good proportion not less than 3 inches high.

(c) All markings shall be of a color which will contrast with the color of the hull so as to be distinctly visible and legible.

(R.S. 4178, as amended, 4495, as amended, sec. 3, 72 Stat. 1754; 46 U.S.C. 46, 493, 527a)

§ 185.30-5 Lifesaving gear.

(a) Life floats and buoyant apparatus, together with their oars and paddles, shall be conspicuously marked with the vessel's name.

(b) The number of persons allowed on each life float and buoyant apparatus shall be conspicuously marked or painted thereon in letters and numbers at least 1½ inches high.

(c) All life preservers and ring life buoys shall be marked with the vessel's name.

(d) Any lifeboat, life raft, or other suitable boat accepted as primary lifesaving apparatus shall be marked with its allowed capacity in persons, and with the name of the vessel on which installed, in letters and figures at least 2 inches high, except that inflatable life rafts shall be marked by the manufacturer or service facility as required by Subpart 160.051 of Subchapter Q-Specifications, of this chapter and no additional markings are required.

(R.S. 4426, as amended, 4488, as amended, 4491, as amended; 46 U.S.C. 404, 481, 489)

§ 185.30-10 Life preserver stowage.

(a) Where life preservers are stowed so that they are not readily visible to passengers, the containers in which they are stowed shall be marked "Life Preservers" and with the number contained therein, in at least 1-inch letters and figures. This legend shall indicate the separate stowage of children's life preservers.

(R.S. 4488, as amended; 46 U.S.C. 481)

§ 185.30-15 Escape hatches and emergency exits.

(a) All escape hatches and other emergency exits shall be marked on both sides using at least 1-inch letters: "Emergency Exit, Keep Clear", unless such markings are deemed unnecessary by the Officer in Charge, Marine Inspection.

§ 185.30-20 Fuel shutoff valves.

(a) Remote fuel shutoff stations shall be marked in at least 1-inch letters indicating purpose of the valve and direction of operation.

§ 185.30-25 Watertight doors and watertight hatches.

(a) Watertight doors and watertight hatches shall be marked on both sides in at least 1-inch letters: "Watertight

Door—Close in Emergency" or "Watertight Hatch—Close in Emergency", unless such markings are deemed unnecessary by the Officer in Charge, Marine Inspection.

PART 186—MANNING

Subpart 186.01—Application and Intent

186.01-1 Application.
186.01-5 Intent.

Subpart 186.05—General

186.05-1 Manning requirements.
186.05-5 Manning entries on certificate of inspection.

Subpart 186.10—Licenses

186.10-1 Licenses required.

AUTHORITY: §§ 186.01-1 to 186.10-1 issued under sec. 3, 70 Stat. 152; 46 U.S.C. 390b. Other statutory provisions interpreted or applied are cited to text in parentheses.

Subpart 186.01—Application and Intent

§ 186.01-1 Application.

(a) The provisions of this part shall apply to all vessels.

(R.S. 4426, as amended, 4463, as amended, sec. 2, 38 Stat. 1164, as amended; 46 U.S.C. 404, 222, 673)

§ 186.01-5 Intent.

(a) The intent of this part is to insure that each vessel has sufficient crew and licensed operators for the proper navigation and operation of the vessel. Due regard shall be given to the need for protection of the vessel and passengers during emergencies.

Subpart 186.05—General

§ 186.05-1 Manning requirements.

(a) No vessel subject to the provisions of the regulations in this subchapter shall be navigated while her certificate of inspection is in effect unless she shall have in her service and on board such complement of licensed personnel, and crew, as may, in the judgment of the Officer in Charge, Marine Inspection, be necessary for her safe operation.

(R.S. 4426, as amended, 4463, as amended, sec. 2, 38 Stat. 1164, as amended; 46 U.S.C. 404, 222, 673)

§ 186.05-5 Manning entries on certificate of inspection.

(a) The Officer in Charge, Marine Inspection, shall make entries on the certificate of inspection showing the complement of licensed personnel and crew required.

(R.S. 4463, as amended; 46 U.S.C. 222)

Subpart 186.10—Licenses

§ 186.10-1 Licenses required.

(a) Except as otherwise provided in this section, the licensed operators required for the operation of all vessels shall be in possession of ocean operator's licenses or operator's licenses attesting to their proficiency for the route and class of vessel being navigated.

(b) A license as master, chief mate, second mate or third mate of ocean and coastwise inspected vessels, or a license as a master or pilot of inspected ves-

sels on other than ocean and coastwise waters, will authorize the holder to serve as operator of vessels subject to the regulations in the subchapter for the class of vessel and on the waters for which such license was issued and within such other restrictions as may be stated on the license.

(c) A license which authorizes the holder to serve as an operator of a mechanically propelled or sail vessel subject to the regulations in this subchapter will also authorize the holder to serve as operator of a non-self-propelled ves-

sel subject to such regulations under the same conditions as if the vessel were mechanically propelled or sail propelled.

(d) Operation of vessels by licensed personnel on routes and in capacities lower than those described on the license held will be permitted as provided in Table 186.10-1(d) without obtaining additional license for the lower route or capacity.

(R.S. 4405, as amended, 4426, as amended, 4438, as amended, 4462, as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 375, 404, 224, 416, 526p)

TABLE 186.10-1(d)

Type license held	Route described on license	Capacity and routes permitted
Ocean Operator, Master ¹ or Mate. ¹	Oceans or coastwise-----	Can serve as ocean operator on the specific route described on license, and as operator on Great Lakes, lakes, bays and sounds, and rivers.
	(Waters other than ocean or coastwise. Great Lakes-----)	Can serve as operator on Great Lakes, lakes, bays and sounds, and rivers.
Operator or Master ¹	Lakes, bays, and sounds-----	Can serve as operator on the specific route described on license, and on lakes, bays and sounds, and rivers.
	Rivers-----	Can serve as operator on specific route described on license, and on rivers.
Pilot-----	Specific bodies of water-----	Can serve as operator on the specific route described on license.
	Specific bodies of water-----	Can serve as operator only on the specific waters described. Can serve as operator on the Great Lakes, lakes, bays and sounds, and rivers.

¹ Only those licenses which authorize service on inspected passenger vessels may be substituted for an operator's license or ocean operator's license.

PART 187—LICENSING

Subpart 187.01—General

Sec.
187.01-1 Application.

Subpart 187.05—General Requirements

187.05-1 Issuance of licenses.
187.05-5 Sea service as member of Armed Forces of the United States and on vessels owned by the United States as qualifying experience.
187.05-10 Lifting of limitations.
187.05-15 Re-examinations and refusal of licenses.
187.05-20 Issuance of duplicate licenses.
187.05-25 Parting with license.
187.05-30 Suspension and revocation of license.
187.05-35 Right of appeal.

Subpart 187.10—Original License

187.10-1 Original license defined.
187.10-5 Requirements for original licenses.
187.10-10 Written application.
187.10-15 Physical examination.
187.10-20 Experience or training.
187.10-25 Professional examination.
187.10-30 Character check and references.

Subpart 187.15—Renewal of Licenses

187.15-1 Requirements for renewal of license.
187.15-5 Application for renewal.
187.15-10 Fitness.
187.15-15 Period of grace.
187.15-20 Physical requirements.
187.15-25 Reissue of expired license.

Subpart 187.20—Specific Requirements for Operators on Other Than Ocean and Coastwise Waters

187.20-1 General application.
187.20-5 General requirements.
187.20-10 Examination for operators of mechanically propelled vessels.
187.20-15 Examination for sailboat operators.
187.20-20 Examination for barge operators.

Subpart 187.25—Specific Requirements for Ocean Operators

Sec.
187.25-1 General application.
187.25-5 Service requirements, mechanically propelled vessels.
187.25-10 Service requirements, sail propelled vessels.
187.25-12 Service requirements, non-self-propelled vessels.
187.25-15 Examination for operator of ocean mechanically propelled vessels.
187.25-20 Examination for operator of ocean sail propelled vessels.
187.25-22 Examination for operator of ocean non-self-propelled vessels.
187.25-25 Additional routes.

Subpart 187.30—Action Against Licenses

187.30-1 General application.
187.30-5 Appealing from an action against a license.
187.30-10 Record for decision on appeal.
187.30-15 Action on appeal.

AUTHORITY: §§ 187.01-1 to 187.30-15 issued under sec. 3, 70 Stat. 152; 46 U.S.C. 390b. Other statutory provisions interpreted or applied are cited to text in parentheses.

Subpart 187.01—General

§ 187.01-1 Application.

(a) The regulations in this part apply to all applicants for license to operate:
(1) Mechanically propelled vessels, of less than 100 gross tons, carrying more than six passengers; and,
(2) Sail vessels or non-self-propelled vessels, of less than 100 gross tons, carrying more than six passengers.

(R.S. 4426, as amended, 46 U.S.C. 404)

Subpart 187.05—General Requirements

§ 187.05-1 Issuance of licenses.

(a) Applicants for licenses are charged with the duty of establishing to the sat-

isfaction of the Coast Guard that they possess all of the qualifications necessary before they shall be entitled to be issued licenses. Until an applicant meets this mandatory requirement, he is not entitled to be licensed to serve as an operator on a vessel of the United States. Without prior approval of the Commandant no person who has been convicted by court-martial of desertion or treason in time of war, or has lost his nationality for any of the other reasons listed in 8 U.S.C. 1481, is eligible for a license. Neither is a person eligible for a license, who has been convicted by a court of record of a violation of the narcotic drug laws of the United States, the District of Columbia, or any State or territory of the United States, within 10 years prior to the date of filing the application; or who, unless he furnishes satisfactory evidence that he is cured, has ever been the user of or addicted to the use of a narcotic drug.

(b) After application to an Officer in Charge, Marine Inspection, any person who is found qualified under the requirements set forth in this part shall be issued an appropriate license valid for a term of five (5) years. A limitation commensurate with the experience of the applicant shall be placed upon the license.

(c) Every person to whom a license is issued shall place his signature and left thumb print thereon, and upon any sheets attached for additional endorsements.

(d) An applicant for an operator's license shall swear to the truth of the statements on his application.

(e) Every person who receives a license shall make oath before an Officer in Charge, Marine Inspection, or commissioned officer of the Coast Guard authorized to administer oaths under 50 U.S.C. 732, to be recorded upon his official file, that he will faithfully and honestly according to his best skill and judgment, without concealment or reservation, perform all the duties required of him by law.

(f) An applicant for an operator's license must demonstrate his ability to speak, read and understand English as found in the Rules of the Road, aids to navigation publications, emergency equipment instructions and machinery instructions.

(1) An applicant for an operator's license to operate vessels on the navigable waters of the United States in the vicinity of Puerto Rico, who speaks Spanish only, will be issued a license restricted to those waters.

(g) Every person, when receiving a license as "operator" or "ocean operator" of small passenger-carrying vessels, at his request shall be furnished with a copy of the publication "Rules and Regulations for Small Passenger Vessels," and a copy of the "Rules of the Road" applicable to the waters for which the license is issued.

§ 187.05-5 Sea service as member of Armed Forces of the United States and on vessels owned by the United States as qualifying experience.

(a) Sea service as member of the Armed Forces of the United States will

be accepted as qualifying experience for an original or extension of route of license. Such service will be subject to evaluation by the Officer in Charge, Marine Inspection, to determine its equivalence to the sea service required on passenger motorboats, and to determine the appropriate class and limit of license for which the applicant is eligible.

(b) When any person who has served in a civilian capacity as commanding officer or master of any vessel owned and operated by the United States, in any service, in which a license as master was not required at the time of such service applies for an examination for license, the Officer in Charge, Marine Inspection, shall determine the appropriate operator's license for which the applicant is eligible.

§ 187.05-10 Lifting of limitations.

(a) If any Officer in Charge, Marine Inspection, is satisfied by the documentary evidence submitted that an applicant is entitled by experience and knowledge to an increase in the scope of his license, he may change any limitations which he may have previously placed upon the license.

(b) No Officer in Charge, Marine Inspection, may change on any license a limitation which he did not place thereon before full information regarding the reason for the limitation is obtained from the Officer in Charge, Marine Inspection, responsible for the same and the applicant has made up the deficiency.

§ 187.05-15 Re-examinations and refusal of licenses.

(a) Any applicant for license or endorsement who has been duly examined and refused may come before the same Officer in Charge, Marine Inspection, for re-examination at any time thereafter that may be fixed by such Officer in Charge, Marine Inspection, but such time shall not be less than 1 month from the date of his last failure. In the case of another failure, he will not be re-examined until after a lapse of at least 6 months from date of last failure.

(b) A candidate who has been duly examined and refused a license by an Officer in Charge, Marine Inspection, shall not be examined by any other Officer in Charge, Marine Inspection, until 1 year has elapsed from the date of the last refusal without the sanction of the Officer in Charge, Marine Inspection, that refused the applicant.

(c) If the Officer in Charge, Marine Inspection, refuses to grant an applicant the license applied for he shall furnish him a statement setting forth the cause of his refusal.

§ 187.05-20 Issuance of duplicate licenses.

(a) Whenever a person to whom a license has been issued loses his license, he shall report such loss to an Officer in Charge, Marine Inspection, who shall issue a duplicate license after receiving from such person a properly executed affidavit giving satisfactory evidence of such loss, and a record of the license from the marine inspection office where it was issued. Such license shall be

issued as a duplicate by the addition of the following typewritten endorsement, "This license replaces License Number _____ issued at _____ on the above date" as well as the port and date of the duplicate issue. The duplicate license, issued for the unexpired term, shall have the same force and effect as the lost license.

(b) When a person reports the loss of his license or when it is discovered that any license or license form has been stolen from a marine inspection office or when such lost or stolen licenses are recovered, the Officer in Charge, Marine Inspection, shall immediately report the loss, theft, or recovery to the Commandant giving a description of the licenses and all facts incident to its loss, theft or recovery.

§ 187.05-25 Parting with license.

(a) If the holder of license as operator voluntarily parts with it or places it beyond his personal control by pledging or depositing it with any other person for any purpose, he may be proceeded against in accordance with the provisions of Revised Statute 4450, as amended (46 U.S.C. 239), looking to a suspension or revocation of his license.

§ 187.05-30 Suspension and revocation of license.

(a) When the license of any operator is revoked such license expires with such revocation and any license of the same type subsequently granted to such person shall be considered in the light of an original license except as to number of issue.

(b) No person whose license has been revoked shall be issued another license except upon approval of the Commandant. Neither shall a license be issued to a person whose license has been suspended, prior to the termination of the suspension, except on approval of the Commandant.

(c) When a license which is about to expire is suspended, the license may be administratively renewed in order to carry out the period of the suspension. However, prior to the reissuance of the license to the holder upon termination of the suspension he must qualify for the renewal of the license as provided in subpart 187.15.

(R.S. 4450, as amended, 46 U.S.C. 239)

§ 187.05-35 Right of appeal.

(a) Whenever any person directly interested in or affected by any decision or action of any Officer in Charge, Marine Inspection, shall feel aggrieved by such decision or action with respect to the issuance of a license or a certificate, he may appeal therefrom to the Coast Guard District Commander having jurisdiction. A like appeal shall be allowed from any decision or action of the Coast Guard District Commander to the Commandant, whose action shall be final. Such appeals shall be made in writing within 30 days after the date of decision or action appealed from.

(b) Pending the determination of the appeal, the decision of the Officer in Charge, Marine Inspection, shall remain in effect.

Subpart 187.10—Original License

§ 187.10-1 Original license defined.

(a) The first license issued under the authority of the regulations in this part to any person shall be considered an original license.

§ 187.10-5 Requirements for original licenses.

(a) Before an original license is issued to any person to act in a licensed capacity on inspected vessels of the United States, he shall personally appear before an Officer in Charge, Marine Inspection, and present satisfactory documentary evidence of his eligibility in respect to the requirements for the type of operator's license for which he makes application.

§ 187.10-10 Written application.

(a) The Officer in Charge, Marine Inspection, shall require all applicants for original license to make written application upon Coast Guard Form CG-866, License Application.

§ 187.10-15 Physical examination.

(a) All applicants for an original license shall be required to pass a physical examination given by a medical officer of the United States Public Health Service, or other reputable physician, and present a certificate executed by this Public Health Service Officer, or other reputable physician, to the Officer in Charge, Marine Inspection. This certificate shall attest to the applicant's acuity of vision, color sense, and general physical condition.

(b) Epilepsy, insanity, senility, acute general disease or neurosyphilis, badly impaired hearing, or other defect that would render the applicant incompetent to perform the ordinary duties of a licensed operator are causes for rejection.

(c) For an original license as operator the applicant must have either with or without glasses, at least 20/20 vision in one eye and at least 20/40 in the other. The applicant who wears glasses, however, must also be able to pass a test without glasses of at least 20/40 in one eye and at least 20/70 in the other. The color sense will be tested by means of the "Stillings" or similar test but any applicants who fail this test will be eligible if they pass the "Williams" lantern test.

(d) Where an applicant is not possessed of the vision, hearing, and general physical condition considered necessary, the Officer in Charge, Marine Inspection, after consultation with the Public Health Service physician may make recommendations to the Commandant for an exception to these requirements if in his opinion, extenuating circumstances warrant special consideration. Any request for a decision by the Commandant must be accompanied by all pertinent correspondence, records and reports. In this connection recommendations from owners and operators of vessels, made in behalf of their employees will be given full consideration as a determining factor in arriving at a decision.

§ 187.10-20 Experience or training.

(a) All applicants for original license shall present to the Officer in Charge,

Marine Inspection, letters, discharges, or other official documents certifying the amount and character of their experience and the names of the vessels on which acquired. The Officer in Charge, Marine Inspection, must be satisfied as to the bona fides of all evidence of experience or training presented and may reject any evidence that he has reason to believe is not authentic or which does not sufficiently outline the amount, type and character of service. Photostatic or certified copies of the aforementioned evidence may be accepted for the purpose of filing with the application. No license shall be considered as satisfactory evidence of any qualifying experience required by the regulations in this part.

(b) No original license shall be issued to any person unless 25 percent of the required experience has been obtained within the 3 years immediately preceding the date of application. Service in the Armed Forces of the United States shall not be counted in computing the 3 years.

(c) No original license shall be issued to any naturalized citizen on less experience in any grade or capacity than would have been required of a citizen of the United States by birth.

(d) When an applicant presents evidence of service or experience which does not meet the specific requirements of the regulations in this part, such service may be accepted if in the opinion of the Officer in Charge, Marine Inspection, it is a reasonable equivalent thereto.

§ 187.10-25 Professional examination.

(a) When the amount and character of an applicant's experience is found to be satisfactory and he is eligible in all other respects, the applicant shall be examined in writing by the Officer in Charge, Marine Inspection.

(b) When the license application of any person has been approved, the Officer in Charge, Marine Inspection, shall give the applicant the required examination as soon as practicable. If applicants for license cannot be examined without material delay by the Officer in Charge, Marine Inspection, of the district in which the application is made, said Officer in Charge, Marine Inspection, shall endeavor, through the Coast Guard District Commander, to arrange for such examination by some other Officer in Charge, Marine Inspection.

(c) Examination required for license as operator on waters other than ocean and coastwise is contained in Subpart 187.20. Examination in Rules of the Road is for waters upon which the applicant is operating, but it will be incumbent upon every applicant, should he at any time operate on waters for which the Rules of the Road differ, to familiarize himself with the appropriate Rules.

(d) Examination required for license as operator on limited ocean or coastwise routes is contained in Subpart 187.25. Examination is required in International and Inland Rules of the Road, but it will be incumbent upon every applicant, should he at any time operate on waters for which the Rules of the Road differ, to familiarize himself with the appropriate Rules.

§ 187.10-30 Character check and references.

(a) The Officer in Charge, Marine Inspection, shall require every applicant for an original license to have written endorsement of three reputable persons to whom he is known, and if the documentary evidence of experience indicates service with a master or operator, one of the three endorsements shall be from that source, if it can be obtained. However, endorsements need not be required, at the discretion of the Officer in Charge, Marine Inspection, when an applicant holds a currently valid license.

(b) Fingerprint records shall be submitted to the Commandant on each applicant at the time application for license is made, except when an applicant holds a currently valid license fingerprint records need not be submitted. The application of any person may be rejected by the District Commander or his authorized representative when derogatory information has been brought to his attention which indicates that the applicant's habits of life and character are such as to warrant the belief that he cannot be entrusted with the duties and responsibilities of the station for which he made application. In the event that an applicant is rejected he shall be advised that he may submit a request to the Commandant for a review of his case. No examination shall be given or temporary permit issued in this type case pending the Commandant's authorization.

(c) The fact that an applicant for an original license is on probation as a result of action under Revised Statute 4450, as amended (46 U.S.C. 239), does not itself make such an applicant ineligible, provided he meets all the requirements for such original license. However, an original license issued under those circumstances will be subject to the same probationary conditions as were imposed against the seaman's certificates or licenses in proceedings under Revised Statute 4450, as amended. Any such applicant must file an application for license in the usual manner and the offense for which he was placed on probation will be considered on the merits of the case in determining his fitness to hold the license applied for. Nothing in the regulations in this subpart, however, shall be construed to permit an applicant to be examined for an original license during any period when a suspension without probation or a revocation imposed pursuant to Revised Statute 4450, as amended, is effective against his license or certificate.

Subpart 187.15—Renewal of Licenses

§ 187.15-1 Requirements for renewal of license.

(a) Applicants for renewals of licenses are charged with the duty of establishing to the satisfaction of the Coast Guard that they possess all of the qualifications necessary before they shall be issued a renewal of license.

(b) The Officer in Charge, Marine Inspection, shall, before granting renewal of license, require the applicant to make written application on Coast Guard Form

CG-3479, application for renewal of license.

§ 187.15-5 Application for renewal.

(a) The applicant for renewal shall appear in person before an Officer in Charge, Marine Inspection, except where the applicant would be put to great inconvenience or expense to appear in person or is engaged in a service that necessitates his continuous absence from the United States. In such cases the license may be renewed by forwarding the following documents to the Officer in Charge, Marine Inspection, of the office, which issued the license to be renewed.

(1) A letter of transmittal indicating reasons for not appearing in person and stating that to the best of his knowledge no physical incapacity exists, together with a properly executed application on Coast Guard Form CG-3479.

(2) The oath of office on the form prescribed by the Coast Guard, which has been duly executed before a person authorized to administer oaths.

(3) The license to be renewed.

(4) Certification by a United States Public Health Service Medical Officer or other reputable physician that color sense is normal.

(5) Applicants for renewal of operators license shall present evidence of service on the waters for which licensed within the 3 years immediately preceding the date of application, or shall present evidence of employment in a position closely related to the operation of vessels within the same 3-year period.

(i) Every Officer in Charge, Marine Inspection, shall before renewing an existing license to an operator who has not been employed on the waters for which he is licensed or who has not been employed in a position closely related to the operation of vessels during the three years next preceding the date of application for renewal, satisfy himself that such licensed operator is thoroughly familiar with the Rules of the Road applicable to the waters for which the applicant is licensed. A written examination may be required for this purpose, or the applicant may be examined orally and a summary of the oral examination placed in the operator's license file.

§ 187.15-10 Fitness.

(a) No license shall be renewed if title has been forfeited or facts which would render a renewal improper have come to the attention of the Coast Guard.

§ 187.15-15 Period of grace.

(a) A license shall be renewed within 12 months after the date of expiration as shown on the license held, except when an applicant's license has expired beyond the 12-month period of grace during the time of the holder's service with the Armed Forces or the Merchant Marine and there was no reasonable opportunity for renewal. The period of such service following the date of expiration as shown on the license shall be added to the 12-month period of grace.

(b) No license shall be renewed more than 30 days in advance of the date of expiration thereof, unless there are extraordinary circumstances that justify a renewal beforehand in which case the

reasons therefor must appear in detail upon the records of the Officer in Charge, Marine Inspection, renewing the license.

§ 187.15-20 Physical requirements.

(a) No license as operator shall be renewed except upon the official certificate of a medical officer of the United States Public Health Service or other reputable physician that the color sense of the applicant is normal.

(1) The test for color vision shall be by means of the "Stillings" or similar test, or failing that, by means of the "Williams" lantern test. A person failing the "Stillings" test and wishing to qualify by the lantern test shall, if the Public Health Station at which he is undergoing test is not equipped with a lantern, pay his own expenses to journey to such station as is equipped with same.

(2) In the event an applicant for renewal of license as operator is pronounced color blind, the Officer in Charge, Marine Inspection, may grant him a license limited to service during daylight only.

(b) In the event it is found that an applicant for renewal of license obviously suffers from some physical or mental infirmity to a degree that in the opinion of the Officer in Charge, Marine Inspection, would render him incompetent to perform the ordinary duties of a licensed operator, the applicant shall be required to undergo an examination by a medical officer of the Public Health Service to determine his competency. If the applicant subsequently produces a certificate from the Public Health Service to the effect that his condition has improved to a satisfactory degree, or is normal, he shall be qualified in this respect.

(c) Nothing contained in this section shall debar an applicant who has lost the sight of one eye from securing a renewal of his license provided he is qualified in all other respects, and the vision in his one eye passes the test required for the better eye of an applicant possessed of both eyes.

§ 187.15-25 Reissue of expired license.

(a) Whenever an applicant shall apply for renewal of his license for the same grade, after 12 months after the date of its expiration, he shall be required to pass an examination for the same grade of license of such length and scope as will, in the judgment of the Officer in Charge, Marine Inspection, be sufficient to demonstrate adequately the continued professional knowledge of the examinee, except that no professional examination will be required provided the license expired during the time of the holder's service with the Armed Forces or the Merchant Marine and there was no reasonable opportunity for renewal. The Officer in Charge, Marine Inspection, may require a written examination for this purpose.

(b) The renewed license shall receive the next higher number of issue of present grade.

Subpart 187.20—Specific Requirements for Operators on Other Than Ocean and Coastwise Waters

§ 187.20-1 General application.

(a) The regulations in this subpart are for operators' licenses for service on waters other than ocean or coastwise.

(b) All motorboat operators, licensed under the provisions of the Act of April 25, 1940, as amended (46 U.S.C. 526-526u), prior to the effective date of June 1, 1958, shall be eligible, without professional or physical examination for a license as operator of mechanically propelled vessels on other than ocean and coastwise waters of the same scope and limitations, under the provisions of Act of May 10, 1956 (46 U.S.C. 390-390g); *Provided*, That a physical examination may be required, if, in the opinion of the Officer in Charge, Marine Inspection, the applicant possesses apparent physical disabilities which would give reasonable cause to doubt his physical ability to competently serve as a motorboat operator. Application for the issuance of licenses under the provisions of this paragraph must be filed before June 1, 1959, unless the applicant can show that because of active military service he was unable to file application within the 1-year period provided, the actual time spent in military service shall not be counted in computing the 1 year.

(c) Any sailboat operator or barge operator who submits satisfactory documentary evidence that he has served as operator in charge of passenger sailboats or passenger barges as the case requires, for a period of at least 1 year, shall be eligible, without professional examination, for a license as sailboat operator or as barge operator on waters other than ocean and coastwise under the same conditions as outlined in paragraph (b) of this section except that a physical examination shall be required if the applicant holds no license issued by the Coast Guard.

§ 187.20-5 General requirements.

(a) Any person who has attained the age of 18 years and is qualified in all other respects shall be considered eligible for an operator's license and may be examined by the Coast Guard.

(b) An applicant for a license as operator shall submit satisfactory documentary evidence of at least 1 year's experience in the operation of the type of vessel specified in the application.

§ 187.20-10 Examination for operators of mechanically propelled vessels.

(a) The examination will consist of questions on the following:

(1) The Rules of the Road applicable to the waters over which the applicant operates.

(2) Fire protection and extinguishment.

(3) Lifesaving equipment.

(4) The operation of propelling machinery, particularly the safe and proper handling of gasoline and gasoline engines.

(5) The operation and navigation of motorboats carrying passengers.

(6) Simple first aid.

(7) Rules and regulations of this subchapter applicable to vessels operating in other than ocean and coastwise service.

§ 187.20-15 Examination for sailboat operators.

(a) The examination will consist of questions on the following:

(1) The Rules of the Road applicable to the waters over which the applicant operates.

(2) Fire protection and extinguishment.

(3) Lifesaving equipment.

(4) The operation of auxiliary machinery, particularly the safe and proper handling of gasoline and gasoline engines.

(5) The operation and navigation of sailboats carrying passengers.

(6) Simple first aid.

(7) Rules and regulations of this subchapter applicable to vessels operating in other than ocean and coastwise service.

(b) Although the applicants will be examined only in the Rules of the Road applicable to the waters upon which they are operating, it will be incumbent upon them, should they at any time operate on waters for which the Rules of the Road differ, to familiarize themselves with the appropriate rules.

§ 187.20-20 Examination for barge operators.

(a) The examination will consist of questions on the following:

(1) The regulations governing barges applicable to the waters over which the applicant operates.

(2) Fire protection and extinguishment.

(3) Lifesaving equipment.

(4) The operation of auxiliary machinery, particularly the safe and proper handling of gasoline and gasoline engines.

(5) The operation of barges carrying passengers.

(6) Simple first aid.

Subpart 187.25—Specific Requirements for Ocean Operators

§ 187.25-1 General application.

(a) *Vessels' routes.* The regulations in this subpart are for operators' licenses for limited ocean and coastwise service on routes not to exceed 100 miles offshore between such limits as determined by the Officer in Charge, Marine Inspection.

(b) *Documentary evidence of service.* An applicant who submits satisfactory documentary evidence that he has served as operator in charge of ocean or coastwise passenger motorboats, motor vessels or yachts while holding a license as motorboat operator, for a period of at least 1 year, shall be eligible, without professional or physical examination, for a license as operator of ocean vessels of a class, route and tonnage commen-

surate with his experience: *Provided*, That a physical examination may be required, if in the opinion of the Officer in Charge, Marine Inspection, the applicant possesses apparent physical disabilities which would give reasonable cause to doubt his physical ability to competently serve as operator of ocean vessels and: *Provided further*, That 6 months of the required 1 year of experience shall have been within the 3 years immediately preceding the date of application. Application for the issuance of licenses under the provisions of this paragraph must be filed before July 1, 1959, unless the applicant can show that because of active military service, he was unable to obtain 6 months' service within the past 3 years or to file application within the 1-year period provided, the actual time spent in military service shall not be counted in computing either the 3-year period or the 1-year period specified in this paragraph.

(1) An applicant who submits satisfactory documentary evidence that he has served as operator in charge of ocean or coastwise passenger sailing vessels, or as operator in charge of ocean or coastwise passenger non-self-propelled vessels, as the case requires, for a period of 1 year, shall be eligible, without professional examination, for a license as operator of ocean sail propelled vessels or non-self-propelled vessels of a class, route and tonnage commensurate with his experience under the same conditions as outlined in this paragraph, except that a physical examination shall be required if the applicant holds no license issued by the Coast Guard, and except that application for a license as operator of ocean non-self-propelled vessels must be filed before January 1, 1960.

(c) *Routes in excess of 100 miles.* If application is made for a route in excess of the maximum mileage limitation specified for an ocean license, in order that an outlying island or body of land may be included in the route, the complete application file shall be forwarded to the Commandant for evaluation. In arriving at a decision in each individual case, the factors that will be considered are the amount and character of the qualifying experience of the applicant, the necessity, if any, for additional professional examination beyond that specified in §§ 187.25-15 and 187.25-20 to qualify the applicant for the increase in route and the recommendations of the Officer in Charge, Marine Inspection, to whom application is made.

(d) *Minimum age.* Any person who has attained the age of 21 years and is qualified in all other respects shall be eligible for a license.

(e) *Citizenship.* No license shall be issued to any person who is not a citizen of the United States, either native-born or fully naturalized except that a resident alien who is otherwise eligible for a license under paragraph (b) of this section shall not be required to be a citizen. The Officer in Charge, Marine Inspection, must be satisfied as to the bona fides of all evidence of citizenship presented, and may reject any evidence that he has reason to believe is not authentic. Acceptable evidence of citizenship is de-

scribed below in the order of its desirability, except that the first six (6) acceptable methods will be assigned equal weight:

(1) Birth certificate or certified copy.
(2) Naturalized citizens must present a Certificate of Naturalization.

(3) Baptismal certificate or parish record recorded within one year after birth.

(4) Statement of a practicing physician certifying that he attended the birth and that he has a record in his possession showing the date on which it occurred.

(5) State Department passport.

(6) A commission in the United States Navy, Marine Corps, Coast Guard, either regular or reserve; or satisfactory documentary evidence of having been commissioned in one of these services subsequent to January 1, 1936, provided such commission or evidence shows the holder to be a citizen.

(7) A continuous discharge book, certificate of identification or merchant mariner's document issued by the Coast Guard or by the former Bureau of Marine Inspection and Navigation which shows the holder as an American citizen, provided the records indicate that the holder of such continuous discharge book, certificate of identification, or merchant mariner's document produced satisfactory evidence of his citizenship at the time of the issuance of the same.

(8) Delayed certificate of birth. If an applicant claiming to be a citizen of the United States submits a delayed certificate of birth issued under a State's seal, it may be accepted as prima facie evidence of citizenship in the absence of any collateral facts indicating fraud in its procurement.

(9) For persons deriving citizenship through naturalization of their parents, a Certificate of Citizenship issued by the United States Immigration and Naturalization Service is acceptable as documentary evidence of citizenship.

(10) If no one of the requirements set forth in subparagraphs (1) to (9) of this paragraph can be met by the applicant, he should make a statement to that effect, and in an attempt to establish citizenship he may submit for consideration data of the following character:

(i) Report of the Census Bureau showing the earliest record of age or birth available. Request for such information should be addressed to the Director of the Census, Washington 25, D.C. In making such request, definite information must be furnished the Census Bureau as to the place when the first census was taken after birth of the applicant, giving the name of the street and number of the house or the names of the cross streets between which the house was located if residing in a city; or the name of the town, township, precinct, magisterial district, militia district, beat or election district if residing in the country, also the names of parents, or the names of other persons with whom residing on the date specified.

NOTE: A census was taken in the following years: June 1, 1860, 1870, 1880 and 1900; April 15, 1910; January 1, 1920; April 1, 1930; April 1940; and April 1950. Records for 1890 are not available.

(ii) Affidavits of parents or relatives or affidavits by two or more responsible citizens of the United States, stating citizenship; school records; immigration records; or insurance policies.

(R.S. 4131, as amended, secs. 5 and 7, 1935, as amended, 1936, as amended, sec. 302, 49 Stat. 1992, as amended; 46 U.S.C. 221, 672a, 689, 1332)

§ 187.25-5 Service requirements, mechanically propelled vessels.

(a) The minimum service required to qualify an applicant for examination for a license as operator of mechanically propelled vessels in ocean service is:

(1) Two years' service as a licensed motorboat operator of passenger motorboats, of which at least 1 year shall have been operating on ocean or coastwise waters; or

(2) Three years' deck department service in the operation of ocean or coastwise motorboats or small motor vessels; or,

(3) Two years' deck department service in the operation of ocean or coastwise motorboats or small motor vessels while holding a motorboat operator's license or a license as operator of mechanically propelled passenger-carrying vessels; or,

(4) One year's service as able seaman on ocean or coastwise steam or motor vessels, together with 1 year's deck department service in the operation of ocean or coastwise motorboats or small motor vessels, all of which service shall have been acquired while holding a certificate as "able seaman, any waters, unlimited," or as "able seaman, any waters, 12 months."

§ 187.25-10 Service requirements, sail propelled vessels.

(a) The minimum service required to qualify an applicant for examination for a license as operator of sail propelled vessels in ocean service is:

(1) Two years' service as operator in charge of ocean or coastwise sail vessels carrying passengers; or,

(2) Three years' service in the operation of ocean or coastwise sail vessels.

§ 187.25-12 Service requirements, non-self-propelled vessels.

(a) The minimum service required to qualify an applicant for examination for a license as operator of non-self-propelled vessels in ocean service is:

(1) Two years' deck service on ocean or coastwise non-self-propelled vessels; or,

(2) One year's deck service on ocean or coastwise non-self-propelled vessels while holding a license as operator of non-self-propelled vessels upon waters other than ocean and coastwise; or,

(3) One year's deck service on ocean or coastwise moored non-self-propelled passenger vessels for a license restricted to such moored vessels.

(4) Where more than 50 percent of the service required by subparagraph (1) or (2) of this paragraph has been on non-towed or moored non-self-propelled vessels, the license shall be restricted to such vessels.

§ 187.25-15 Examination for operator of ocean mechanically propelled vessels.

(a) An applicant for a license as operator of ocean mechanically propelled vessels shall be required to pass a satisfactory examination as to his knowledge of the subjects listed in this section:

(1) Use of a nautical chart and the meaning of the various symbols and abbreviations thereon; determining and laying off compass courses and distances on a chart and allowing for set and drift of currents; fixing a vessel's position by bearings of fixed object(s).

(2) International and Inland Rules of the Road.

(3) Practical application of variation and deviation of the magnetic compass and simple methods of determining the compass error.

(4) Rudimentary seamanship, including:

(i) The use and construction of a sea anchor.

(ii) Temporary repairs to the hull in the event of springing a leak.

(iii) Man overboard procedure in the handling of the boat and recovering the person.

(iv) Proper anchoring, mooring and unmooring procedures.

(v) Handling vessel in heavy weather.

(5) Aids to navigation, including the basic buoyage system of the United States.¹

(6) Local winds, weather, and currents.¹

(7) Local navigational features and conditions.¹

(8) Simple first aid, including artificial respiration.

(9) Elementary signals, including:

(i) Storm signals.

(ii) Distress signals.

(10) The use and reading of weather bulletins.

(11) The use and reading of an aneroid barometer.

(12) Lifesaving and firefighting equipment, including precautions to be taken against fire, explosion from oil or gasoline and methods of dealing with fire, the use of fire extinguishers, and the handling of the vessel after fire is discovered.

(13) Rules and regulations of this subchapter applicable to ocean and coastwise vessels.

(14) The operation of propelling machinery, particularly the safe and proper handling of gasoline and gasoline engines.

(15) Such further examination as the Officer in Charge, Marine Inspection, may consider necessary to establish the applicant's proficiency for the route to be navigated.

§ 187.25-20 Examination for operator of ocean sail propelled vessels.

(a) An applicant for a license as operator of ocean sail vessels of less than 100 gross tons shall be required to pass a satisfactory examination as to his knowl-

¹The part of examination for these subjects will be based upon material contained in the U.S. Coast Pilot, Light Lists, and Tide and Current Tables applicable to the area for which the license is to be valid.

edge of the subjects listed in this paragraph:

(1) Use of a nautical chart and the meaning of the various symbols and abbreviations thereon; determining and laying off compass courses and distances on a chart, and allowing for set and drift of currents; fixing a vessel's position by bearings of fixed object(s).

(2) International and Inland Rules of the Road.

(3) Practical application of variation and deviation of the magnetic compass and simple methods of determining the compass error.

(4) Rudimentary seamanship, including:

(i) The use and construction of a sea anchor.

(ii) Temporary repairs to the hull in the event of springing a leak.

(iii) Man overboard procedure in the handling of the boat and recovering the person.

(iv) Proper anchoring, mooring and unmooring procedures.

(v) Handling vessel in heavy weather.

(vi) The setting and taking on of a fore and aft sail and others relating to the handling of sails and sailing vessels.

(5) Aids to navigation, including the basic buoyage system of the United States.¹

(6) Local winds, weather, and currents.¹

(7) Local navigational features and conditions.¹

(8) Simple first aid, including artificial respiration.

(9) Elementary signals, including:

(i) Storm signals.

(ii) Distress signals.

(10) The use and reading of weather bulletins.

(11) The use and reading of an aneroid barometer.

(12) Lifesaving and firefighting equipment including precautions to be taken against fire, explosion from oil or gasoline and methods of dealing with fire, the use of fire extinguishers and the handling of the vessel after fire is discovered.

(13) Rules and regulations of this subchapter applicable to ocean and coastwise vessels.

(14) The operation of auxiliary machinery, particularly the safe and proper handling of gasoline and gasoline engines.

(15) Such further examination as the Officer in Charge, Marine Inspection, may consider necessary to establish the applicant's proficiency for the route to be navigated.

§ 187.25-22 Examination for operator of ocean non-self-propelled vessels.

(a) An applicant for a license as operator of ocean non-self-propelled vessels shall be required to pass a satisfactory examination as to his knowledge of the subjects listed in this paragraph:

(1) All subjects required by § 187.20-20 for a license as operator of non-self-propelled vessels upon waters other than ocean and coastwise.

(2) Such further examination as the Officer in Charge, Marine Inspection, may consider necessary to establish the

applicant's proficiency for the route to be navigated.

§ 187.25-25 Additional routes.

(a) A licensed operator of mechanically or sail propelled ocean vessels who applies for an endorsement to his license of an additional route, which embraces additional navigational hazards, may be required, at the discretion of the Officer in Charge, Marine Inspection, to show service on the waters for which the endorsement is requested. However, applicants shall not be required to show more than 3 months' service, or 12 trips within one year. Each applicant for endorsement of an additional route on his license shall be examined on the following subjects, except that examination on International and Inland Rules of the Road shall be required not more than once a year:

(1) International and Inland Rules of the Road.

(2) Aids to navigation on route.¹

(3) Local winds, weather and currents.¹

(4) Local navigational features and conditions.¹

(5) Such further examinations as the Officer in Charge, Marine Inspection, may consider necessary to establish the applicant's proficiency for the route to be navigated.

Subpart 187.30—Action Against Licenses

§ 187.30-1 General application.

(a) All licenses issued by the Coast Guard are subject to suspension or revocation as provided under the provisions of Revised Statute 4450, as amended (46 U.S.C. 239), and the regulations promulgated thereunder in Parts 136 and 137 in subchapter K (Marine Investigations and Suspension and Revocation Proceedings) of this chapter.

(R.S. 4450, as amended, sec. 2, 68 Stat. 484; 46 U.S.C. 239, 239b)

§ 187.30-5 Appealing from an action against a license.

(a) A person whose license is revoked, suspended, suspended on probation, or admonished by an examiner in a Coast Guard District may at any time within 30 days after the decision of the examiner take an appeal to the Commandant. This appeal to the Commandant shall be taken by filing a notice of appeal with the Commander of the Coast Guard District in which the hearing was held.

(b) The notice may be prepared by the appellant or appellant's counsel. The notice shall:

(1) Be typewritten or written in a legible hand; and

(2) Be addressed to the Commandant; and,

(3) Set forth as briefly as possible the name of the appellant, the nature of the charge, the substance of the decision of the examiner, the name of the examiner who made the decision; and,

(4) Contain a statement of each separate ground for such appeal, together with a certificate from the appellant that the appeal is not taken for the purposes of delay.

(5) Contain a request for a copy of transcript of testimony if desired.

(c) The appellant may file exceptions to the decision of the examiner supported by a brief or memorandum with his notice of appeal in elaboration of the matters set forth. The District Commander shall immediately transmit such notice of appeal, exceptions, brief or memorandum, if any, to the Commandant together with a complete transcript of the record in the case, if in his possession.

§ 187.30-10 Record for decision on appeal.

(a) The transcript of testimony together with all papers and exhibits filed in the proceedings shall constitute the exclusive record for decision on appeal.

§ 187.30-15 Action on appeal.

(a) The Commandant on appeal may alter or modify any finding of the examiner and may affirm, reverse or modify the order of the examiner, or he may remand the case for further hearing, but the Commandant will not consider evidence which is not a part of the record. The decision of the Commandant on appeal shall be final.

TABLE A—COMPARISON OF OLD SECTION NUMBERS WITH NEW SECTION NUMBERS

(Asterisk (*) in front of number means text was revised)

Old section	New section
*175.01-1	175.01-1.
*175.05-1	175.05-1, 176.35-1, 176.35-10.
*175.05-5	176.01-20(c).
175.05-10	175.05-5.
175.10-1	175.10-1.
*175.10-3	175.10-3.
175.10-5	175.10-5.
175.10-7	175.10-7.
175.10-9	175.10-9.
*175.10-11	175.10-11.
175.10-13	175.10-13.
*175.10-15	176.35-5(a).
*175.10-17	175.10-17.
175.10-19	175.10-19.
175.10-21	175.10-21.
175.10-23	175.10-23.
*175.10-25	175.10-25.
175.10-26	175.10-26.
175.10-27	175.10-27.
175.10-29	175.10-29.
175.10-31	175.10-35.
175.10-33	175.10-31.
*175.10-35	175.10-33.
175.10-36	175.10-36.
*175.10-37	175.10-37.
175.15-1	175.15-1.
175.20-1	175.30-1.
*176.01-1	176.01-1.
*176.01-5	176.01-40.
*176.01-10	176.01-10(d), 176.01-15.
176.01-15	176.01-1(c).
*176.05-1	176.25-1.
*176.10-1	176.01-10, 176.05-1.
*176.10-5	176.01-10, 176.05-1.
*176.10-10	176.01-10(b), 177.05-1, 177.05-3.
*176.10-15	176.05-5, 184.25-1(b).
*176.15-1	176.01-10, 176.05-1.
*176.15-5	176.01-10, 176.05-1.
*176.15-10	176.05-10, 184.25-1(b).
*176.15-15	176.25-20.
*176.15-20	176.25-25.
*176.15-25	176.25-5, 176.25-35, 176.25-40.
*176.15-30	176.25-10, 176.25-30.
*176.15-35	176.25-15.
*176.15-40	176.25-45.
*176.15-45	176.25-50.

TABLE A—COMPARISON OF OLD SECTION NUMBERS WITH NEW SECTION NUMBERS—Con.

Old section	New section
*176.20-1	176.10-1.
*176.20-5(a)	176.10-5(a).
176.20-5(b)	176.10-5(b).
*176.20-5(c)	176.25-20, 176.25-25.
176.25-1	176.30-1.
*176.30-1	176.15-1, 176.15-5.
*176.30-5	176.15-10.
*176.35-1	176.20-1.
176.35-5	176.20-5.
*176.40-1	177.05-1, 177.05-3.
177.01-1	177.01-1.
*177.01-5	175.25-1.
177.05-1	177.10-1.
*177.05-5	177.10-5.
177.10-1	177.15-1.
177.15-1	177.20-1.
177.15-5	177.20-5.
177.20-1	177.25-1.
*177.25-1	176.01-25, 176.01-30.
*177.25-5	176.01-25(b)(1).
*177.25-10	176.01-25(b)(2).
*177.25-15	176.01-25(b)(3), 177.30-1.
*177.25-20	177.30-5.
*177.30-1	178.05-3, 178.05-5.
*177.30-5	178.35-1.
*177.30-10	178.35-1.
177.35-1	184.05-1.
*177.40-1	177.35-1.
177.40-5	177.35-5.
*177.40-10	177.35-10.
177.40-15	177.35-15.
178.01-1	178.01-1.
*178.01-5	178.01-5.
178.05-1	178.05-1.
178.05-3	
178.05-5	
*178.05-7	178.05-3, 178.25-1.
*178.05-9	178.05-5.
*178.10-1	178.10-1, 178.15-1, 178.15-3, 178.15-5, 178.25-1, 178.30.
*178.10-5	178.10-5, 178.15-1, 178.25-1.
*178.10-10	178.10-10, 178.30-1.
*178.15-1	178.20-1, 178.20-5, 178.25-1(b).
*178.20-1	178.30-3, 178.35-1(f).
*178.20-5	178.30-3.
*179.01-1	179.01-1.
*179.05-1	179.05-1.
*179.10-1	177.05-3, 179.10-3, 179.10-5.
*179.10-5	179.10-1, 179.10-3, 179.10-5.
*179.15-1	179.10-1, 179.10-3, 179.10-5.
*179.15-5	179.10-1, 179.10-3, 179.10-5.
*179.15-10	179.10-1, 179.10-3, 179.10-5.
*179.15-15	179.10-1, 179.10-3, 179.10-5.
*179.15-20	178.10-1, 178.10-5, 178.20-1, 178.20-5, 179.10-1, 179.10-3, 179.10-5.
*179.20-1	179.10-1(a).
*179.20-5	179.10-1(a), 179.15-1.
*179.25-1	179.20-1, 179.20-5.
180.01-1(a)	180.01-1(a).
*180.01-1(b)	175.25-1.
*180.05-1	180.05-1.
180.05-5	180.05-5.
*180.10-1	180.05-1(b), 180.10-1.
*180.10-5	180.10-5.
*180.10-10	180.10-5.
180.10-15	180.10-15.
180.10-20	180.10-20.
180.10-25	180.10-25.
*180.10-30	180.05-1(b), 180.10-30.
180.15-1	180.15-1.
180.15-5(a)	180.15-5(a).
180.15-5(b)	180.15-5(b).
*180.15-5(c)	180.15-5(c).
*180.15-5(d)	180.05-1(b), 180.15-5(d).
*180.15-10	180.15-10.
180.20-1	180.20-1.
*180.20-5	180.20-5.

TABLE A—COMPARISON OF OLD SECTION NUMBERS WITH NEW SECTION NUMBERS—Con.

Old section	New section
*180.25-1	180.05-1(b), 180.25-1.
180.25-5	180.25-5.
*180.25-10	180.25-10, 180.25-15.
*180.25-15	180.25-15.
*180.30-1	180.05-1(b), 180.30-1.
*180.30-5	180.30-5.
*180.30-10	180.30-10.
*180.35-1	180.05-1(b), 180.35-1, 180.35-10(b).
*180.35-5	180.05-1(b), 180.35-5, 180.35-10.
*181.01-1	181.01-1, 175.25-1.
*181.01-5	181.20-5(a), 181.30-5(a).
181.01-10	181.05-5.
*181.05-1	181.10-5(a).
*181.05-5	181.10-1, 181.15-1.
*181.05-10	181.20-1, 181.20-5.
*181.05-15	181.25-1, 181.25-5.
*181.05-20	181.30-1.
*181.10-1	181.01-1.
181.10-5	181.10-1(b), 181.10-1(c).
*181.10-10	181.15-5, 181.15-10.
181.10-15	181.15-5(b).
*181.15-1	181.01-1.
181.15-5	181.20-10(b).
*181.15-10	181.20-10(a)(1), 181.20-20(a).
*181.15-15	181.20-10(a)(2), 181.20-20, 181.20-25(a).
181.15-20	181.20-15.
181.15-25	181.20-20 (c), (d), (e), and (f).
181.15-30	181.20-30.
181.15-35	181.20-25(a).
*181.15-40	181.20-35.
*181.20-1	Table 181.30-1(a).
*181.20-5	181.30-1, 181.30-10.
181.20-10	181.30-1(b).
*182.01-1	182.01-1, 182.05-5(b).
*182.01-5	182.05-5(b).
*182.01-10	182.05-5(b).
*182.01-15	182.01-1, 182.10-5(a).
*182.01-20	182.10-5(c).
*182.01-25	175.25-1.
*182.05-1	182.01-1.
*182.05-5	182.35-1.
*182.10-1	182.01-1.
*182.10-5	182.05-1, 182.10-1, 182.10-5, 182.15-1, 182.15-5, 182.15-10, 182.15-15.
*182.10-10	182.15-7.
*182.10-15	182.15-15, 182.15-20.
*182.10-20	182.15-25.
*182.10-25	182.15-30.
*182.10-30	182.15-35.
*182.10-35	182.15-40.
*182.10-40	182.15-45.
*182.15-1	182.01-1(a), 182.20-1(a).
*182.15-5	182.05-1, 182.10-1, 182.20-1, 182.20-5, 182.20-10.
*182.15-10	182.20-15, 182.20-20.
*182.15-15	182.20-22, 182.20-25.
*182.15-20	182.20-30.
*182.15-25	182.20-35.
*182.15-30	182.20-40.
*182.15-35	182.20-45, 182.20-50.
*182.20-1	182.01-1.
*182.20-5	182.25-1, 182.25-5.
*182.20-10	182.25-10.
*182.25-1	178.01-1.
*182.25-5	178.40-1(d).
*182.30-1	182.01-1.
182.30-5	182.30-1.
182.30-10	182.30-5.
*183.01-1	183.01-1, 183.05-1, 183.10-1.
*183.01-5	183.01-1, 183.05-1.
*183.01-10	175.25-1.
*183.05-1	
183.05-5	183.05-5.
183.10-1	183.05-10.
*183.10-5	183.05-15.
*183.10-10	183.05-20.
183.10-15	183.05-25.
*183.10-20	183.05-30, 183.05-35.
183.15-1	183.05-40.
183.15-5	183.05-45.

RULES AND REGULATIONS

TABLE A—COMPARISON OF OLD SECTION NUMBERS WITH NEW SECTION NUMBERS—CON.

Old section	New section
183.20-1	183.05-50(a).
183.20-5	183.05-50(b).
183.20-10	183.05-50(c).
*183.20-15	183.05-50(d) (3).
*183.20-20	183.05-50(d).
184.01-1	184.01-1.
184.05-1	
*184.10-1	184.10-1.
184.15-1	184.15-1.
184.20-1	184.20-1.
*184.25-1	184.25-1.
184.30-1	184.30-1.
*184.35-1	184.35-1.
*185.01-1	185.01-1.
185.05-1	185.05-1.
185.10-1	185.10-1.
185.15-1	185.15-1.
185.20-1	185.20-1.
185.20-5	185.20-5.
185.20-10	185.20-10.
*185.20-15	185.20-15.
*185.20-20	185.20-20.
185.20-25	185.20-25.
*185.25-1	185.25-1.
*185.25-5	185.25-5, 185.25-15.
185.25-10	185.25-10.
*185.30-1	185.30-1.
*185.30-5	185.30-5.
185.30-10	185.30-10.
*185.30-15	185.30-15.
185.30-20	185.30-20.
*185.30-25	185.30-25.
*185.35-1	184.01-1(a).
*185.35-5	184.40-1.
185.35-10	184.40-5.
185.35-15	184.40-10.
185.35-20	184.40-15.
186.01-1	186.05-1.
186.01-5	186.05-5.
186.01-10	186.10-1(b).
*187.01-1	187.01-1.
187.05-1 to 187-15-15	187.05-1 to 187.15-15.
*187.20-1	187.20-1.
187.20-5 to 187-20-20	187.20-5 to 187.20-20.
*187.25-1	187.25-1.
187.25-5 to 187-30-15	187.25-5 to 187.30-15.

TABLE B—COMPARISON OF NEW SECTION NUMBERS WITH OLD SECTION NUMBERS

(Asterisk (*) in front of number means text was revised)

New section	Old section
175.01-1	175.01-1.
*175.05-1	175.05-1.
175.05-5	175.05-10.
175.05-15	
175.10-1	175.10-1.
*175.10-2	180.05-1.
*175.10-3	175.10-3.
175.10-5	175.10-5.
175.10-7	175.10-7.
175.10-9	175.10-9.
*175.10-11	175.10-11.
175.10-13	175.10-13.
*175.10-17	175.10-17.
175.10-19	175.10-19.
175.10-21	175.10-21.
175.10-23	175.10-23.
*175.10-25	175.10-25.
175.10-26	175.10-26.
175.10-27	175.10-27.
175.10-29	175.10-29.
175.10-31	175.10-33.
175.10-33	175.10-35.
175.10-35	175.10-31.
175.10-36	175.10-36.
*175.10-37	175.10-37.
175.15-1	175.15-1.
*175.20-1	
*175.20-5	
175.25-1	177.01-5, 178.01-5, 180.01-1(b), 181.01-1(b), 182.01-25, 183.01-10.
175.30-1	175.20-1.

TABLE B—COMPARISON OF NEW SECTION NUMBERS WITH OLD SECTION NUMBERS—CON.

New section	Old section
*176.01-1	176.01-1, 176.01-15.
*176.01-5	
*176.01-10	176.01-10, 176.10-1, 176.10-5, 176.10-10, 176.15-1, 176.15-5.
*176.01-15	176.01-10.
*176.01-20	175.05-5.
*176.01-25	177.25-1, 177.25-5, 177.25-10, 177.25-15.
*176.01-30	177.25-1(b).
*176.01-35	
*176.01-40	176.01-5.
*176.05-1	176.10-1, 176.10-5, 176.15-1, 176.15-5.
*176.05-5	176.10-15.
*176.05-10	176.15-10.
*176.10-1	176.20-1.
*176.10-5	176.20-5.
*176.15-1	176.30-1.
*176.15-5	176.30-1(b).
*176.15-10	176.30-5.
*176.20-1	176.35-1.
176.20-5	176.35-5.
*176.25-1	176.05-1.
*176.25-5	176.10-15, 176.15-10, 176.15-25.
*176.25-10	176.10-15, 176.15-10, 176.15-30.
*176.25-15	176.10-15, 176.15-10, 176.15-35.
*176.25-20	176.10-15, 176.15-10, 176.15-15, 176.20-5.
*176.25-25	176.10-15, 176.15-10, 176.15-20, 176.20-5(c).
*176.25-30	176.10-15, 176.15-10, 176.15-30(a) (9).
*176.25-35	176.10-15, 176.15-10, 176.15-25(a) (6), 176.20-5.
*176.25-40	176.10-15, 176.15-10, 176.15-25(a) (7), 176.20-5, 185.35-20.
*176.25-45	176.10-15, 176.15-10, 176.15-40, 176.20-5.
*176.25-50	176.10-15, 176.15-10, 176.15-45, 176.20-5.
176.30-1	176.25-1.
*176.35-1	175.05-1(c).
*176.35-5	175.10-15.
176.35-10	175.05-1(c).
177.01-1	177.01-1.
177.01-5	
*177.05-1	176.10-10, 176.40-1.
*177.05-3	176.10-10, 176.40-1.
*177.05-5	176.10-10.
177.10-1	177.05-1.
*177.10-5	177.05-5.
177.15-1	177.10-1.
177.20-1	177.15-1.
177.20-5	177.15-5.
177.25-1	177.20-1.
*177.30-1	177.25-15.
*177.30-5	177.25-20.
*177.35-1	177.40-1.
177.35-5	177.40-5.
*177.35-10	177.40-10.
177.35-15	177.40-15.
178.01-1	178.01-1.
*178.01-5	178.01-5.
178.05-1	178.05-1.
*178.05-3	178.05-7.
*178.05-5	178.05-9.
*178.05-7	
*178.05-9	
*178.05-11	
*178.05-13	
*178.05-15	
*178.05-17	
*178.05-19	
*178.10-1	178.10-1.
*178.10-5	178.10-5.
*178.10-10	178.10-10.
*178.15-1	178.10-1(b), 178.10-5(a).
*178.15-3	178.10-1(b).
*178.15-5	178.10-1(a) (1).
*178.20-1	178.15-1.
*178.20-5	178.15-1.

TABLE B—COMPARISON OF NEW SECTION NUMBERS WITH OLD SECTION NUMBERS—CON.

New section	Old section
*178.25-1	178.05-7, 178.10-1, 178.10-5, 178.10-10, 178.15-1.
*178.30-1	178.10-1(e).
*178.30-3	178.20-1, 178.20-5.
*178.30-5	178.10-1(e).
*178.30-7	
*178.35-1	177.30-5, 177.30-10, 178.20-1.
*178.40-1	178.10-1(f), 182.25-5.
*179.01-1	179.01-1.
*179.05-1	179.05-1.
*179.10-1	179.10-5, 179.15-1 thru 179.15-20, 179.20-1, 179.20-5.
*179.10-3	179.10-5, 179.15-1 thru 179.15-20, 179.20-1, 179.20-5.
*179.10-5	179.10-5, 179.15-1 thru 179.15-20, 179.20-1, 179.20-5.
*179.15-1	179.20-5.
*179.20-1	179.25-1.
179.20-5	179.25-1.
180.01-1	180.01-1(a).
*180.01-5	
*180.05-1	180.05-1, 180.10-1(a), 180.10-30(a), 180.15-5(d), 180.25-1(a), 180.30-1, 180.35-5(a).
180.05-5	180.05-5.
*180.10-1	180.10-1.
*180.10-5	180.10-5, 180.10-10.
180.10-15	180.10-15.
180.10-20	180.10-20.
180.10-25	180.10-25.
*180.10-30	180.10-30.
180.15-1	180.15-1.
*180.15-5	180.15-5.
*180.15-10	180.15-10.
180.20-1	180.20-1.
*180.20-5	180.20-5, 180.30-5.
*180.25-1	180.25-1.
180.25-5	180.25-5.
*180.25-10	180.25-10.
*180.25-15	180.25-10, 180.25-15, 185.30-10.
*180.30-1	180.30-1.
*180.30-5	180.30-5.
*180.30-10	180.30-10.
*180.35-1	180.35-1.
*180.35-5	180.35-5.
*180.35-10	180.35-1, 180.35-5.
*181.01-1	181.01-1(a), 181.10-1, 181.15-1.
*181.01-5	
*181.05-1	
181.05-5	181.01-10.
*181.10-1	181.05-5, 181.10-5.
*181.10-5	181.05-1, 182.20-10.
*181.15-1	181.05-5.
*181.15-5	181.10-10(e), 181.10-15.
*181.15-10	181.10-10.
*181.20-1	181.05-10.
*181.20-5	181.01-5, 181.05-10.
*181.20-10	181.15-5, 181.15-10, 181.15-15.
181.20-15	181.15-20.
*181.20-20	181.15-10(b), 181.15-25(b), 181.15-25.
*181.20-25	181.15-15(c), 181.15-35.
181.20-30	181.15-30.
*181.20-35	181.15-40.
*181.25-1	181.05-15.
*181.25-5	181.05-15.
*181.30-1	175.15-1, 181.05-20, 181.20-5, 181.20-10.
*181.30-5	181.01-5.
*181.30-10	181.20-5(a).
*182.01-1	182.01-1, 182.10-1, 182.15-1, 182.20-1, 182.30-1.
*182.01-5	
182.05-1	182.10-5(a) (1).
*182.05-5	182.01-1, 182.01-5, 182.01-10.
*182.10-1	182.10-5(b).
*182.10-5	182.01-15, 182.01-20, 182.10-5.

TABLE B—COMPARISON OF NEW SECTION NUMBERS WITH OLD SECTION NUMBERS—CON.

New section	Old section
*182.15-1	182.10-1, 182.10-5(b).
*182.15-5	177.35-1(b), 182.10-5.
*182.15-7	182.10-10.
*182.15-10	182.10-5.
*182.15-15	182.10-5, 182.10-15.
*182.15-20	182.10-15.
*182.15-25	182.10-20.
*182.15-30	182.10-25.
*182.15-35	182.10-30.
*182.15-40	182.10-35.
*182.15-45	182.10-40.
*182.20-1	182.15-1, 182.15-5.
*182.20-5	182.15-5.
*182.20-10	182.15-5.
*182.20-15	182.15-5, 182.15-10.
*182.20-20	182.15-10.
*182.20-22	182.15-15(b).
*182.20-25	182.15-15.
*182.20-30	182.15-20.
*182.20-35	182.15-25.
*182.20-40	182.15-30.
*182.20-45	182.15-35.
*182.20-50	182.15-35.
*182.25-1	178.10-1(d), 182.20-5.
*182.25-5	182.20-5.
*182.25-10	182.20-10.
*182.30-1	182.30-5.
*182.30-5	182.30-10.
*182.35-1	182.05-5.
*183.01-1	183.01-1, 183.01-5.
*183.01-5	
*183.01-10	182.01-10.
*183.01-15	176.10-15.
*183.05-1	183.01-5.
*183.05-5	183.05-5.
*183.05-10	183.10-1.
*183.05-15	183.10-5.
*183.05-20	183.10-10.
*183.05-25	183.10-15.
*183.05-30	183.10-20(a).
*183.05-35	183.10-20.
*183.05-40	183.15-1.
*183.05-45	183.15-5.
*183.05-50	183.20-1, 183.20-5, 183.20-10, 183.20-15, 183.20-20.
*183.10-1	183.01-1.
*183.10-5(a)	183.01-1, 111.10-15(e), 111.25-5(a).
*183.10-5(b)	183.01-1, 111.10-15(g), 111.25-30(a)(d).
*183.10-5(c)	183.01-1, 111.10-15(g), 111.25-30(d).
*183.10-5(d)	183.01-1, 110.15-175(k), 111.25-30(c).
*183.10-5(e)	183.01-1, 111.05-20, 111.10-30(a), 111.25-10(a).
*183.10-10(a)	183.01-1, 111.05-15(a)(1), 111.10-15(g)(1), 111.25-30(a), 111.45-1(i)(1).
*183.10-10(b)	183.01-1, 111.45-1(j).
*183.10-10(c)	183.01-1, 111.45-10(e).
*183.10-10(d)	183.01-1, 111.40-1(d).
*183.10-15(a)	

TABLE B—COMPARISON OF NEW SECTION NUMBERS WITH OLD SECTION NUMBERS—CON.

New section	Old section
*183.10-15(b)	183.01-1, 111.35-1(c).
*183.10-15(c)	183.01-1, 111.35-1(b).
*183.10-15(d)	183.01-1, 111.35-1(j).
*183.10-15(e)	183.01-1, 111.35-1(b), 111.50-1(a).
*183.10-15(f)	183.01-1, 111.35-1(e).
*183.10-20(a)	183.01-1, 111.60-1(b).
*183.10-20(b)	183.01-1, 111.60-1(d)(1).
*183.10-20(c)	183.01-1, 111.60-1(e)(1).
*183.10-20(d)	183.01-1, 111.60-10(b)(8).
*183.10-20(e)	183.01-1, 111.60-10(b)(6).
*183.10-20(f)	183.01-1, 111.60-15(c).
*183.10-20(g)	183.01-1, 111.05-15(f)(1).
*183.10-20(h)	183.01-1, 111.60-10(b)(5).
*183.10-20(i)	183.01-1, 111.05-15(a)(1).
*183.10-20(j)	183.01-1, 111.60-20(b).
*183.10-20(k)	183.01-1, 111.60-20(c).
*183.10-20(l)	183.01-1, 111.60-35(a)(5).
*183.10-20(m)	183.01-1, 112.05-5.
*183.10-20(n)	183.01-1, 111.60-25(a)(4), 111.60-25(a)(5).
*183.10-20(o)	183.01-1, 111.60-30(a), 111.60-30(c).
*183.10-25(a)	183.01-1, 111.45-30(a), 111.45-30(b).
*183.10-25(a)(1)	183.01-1, 111.45-30(n).
*183.10-25(a)(2)	183.01-1, 111.55-10(c).
*183.10-25(a)(3)	183.01-1, 111.45-30(k).
*183.10-25(b)	183.01-1, 111.35-15(b)(1), 111.35-15(b)(8), 111.35-15(c)(1), 111.35-15(c)(13).
*183.10-30(a)	183.01-1, 111.50-1(a), 111.55-1(h)(3), 111.55-1(i)(2).
*183.10-30(b)	183.01-1, 111.50-20(c)(2).
*183.10-30(c)	183.01-1, 111.50-20(c)(1).
*183.10-35(a)	183.01-1, 111.55-1(a), 111.55-1(b).
*183.10-35(b)	183.01-1, 111.55-1(d), 111.55-10(c).
*183.10-35(c)	183.01-1, 111.55-1(b).
*183.10-35(d)	183.01-1, 111.55-1(b)(8).
*183.10-35(e)	183.01-1, 111.55-15(c), 111.55-15(e)(3), 111.55-15(e)(6).
*183.10-35(f)	183.01-1, 111.35-1(i).
*183.10-35(g)	183.01-1, 111.55-1(g)(1).
*183.10-40(a)	183.01-1, 111.45-5(a), 111.45-5(b)(2), 111.45-5(c), 111.45-20(b).
*183.10-40(b)	183.01-1, 111.45-20(a).
*183.10-40(c)	183.01-1, 111.45-20(d).
*183.10-45(a)	183.01-1, 111.65-45(b)(3), 111.65-45(b)(4), 111.65-45(b)(5).
*183.10-45(b)	183.01-1, 111.65-50(b)(1), 111.65-50(b)(3), 111.65-50(b)(4), 111.65-50(b)(5), 111.65-50(b)(7).

TABLE B—COMPARISON OF NEW SECTION NUMBERS WITH OLD SECTION NUMBERS—CON.

New section	Old section
*183.10-50(a)	183.01-1, 111.60-26(a).
183.10-50(a)(1)	183.01-1, 111.35-15(b)(8), 111.35-15(c)(13).
184.01-1	184.01-1.
*184.01-5	
184.05-1	177.35-1.
*184.10-1	184.10-1.
184.15-1	184.15-1.
184.20-1	184.20-1.
*184.25-1	176.10-15, 176.15-10, 184.25-1.
184.30-1	184.30-1.
*184.35-1	184.35-1.
*184.40-1	185.35-5.
184.40-5	186.35-10.
184.40-10	185.35-15.
184.40-15	185.35-20.
185.01-1	185.01-1.
*185.01-5	
185.05-1	185.05-1.
185.10-1	185.10-1.
185.15-1	185.15-1.
*185.17-1	
*185.19-1	
185.20-1	185.20-1.
185.20-5	185.20-5.
185.20-10	185.20-10.
*185.20-15	185.20-15.
*185.20-20	185.20-20.
185.20-25	185.20-25.
*185.25-1	185.25-1.
*185.25-5	185.25-5.
185.25-10	185.25-10.
185.25-15	185.25-5(d).
*185.30-1	185.30-1.
*185.30-5	185.30-5.
185.30-10	185.30-10.
*185.30-15	185.30-15.
185.30-20	185.30-20.
*185.30-25	185.30-25.
*186.01-1	
*186.01-5	
186.05-1	186.01-1.
186.05-5	186.01-5.
*186.10-1	186.01-10.
*187.01-1	187.01-1.
187.05-1 to 187.15-15	187.05-1 to 187.15-15.
*187.20-1	187.20-1.
187.20-5 to 187.20-20	187.20-5 to 187.20-20.
*187.25-1	187.25-1.
187.25-5 to 187.30-5	187.25-5 to 187.30-5.

Dated: September 23, 1960.

[SEAL] A. C. RICHMOND,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 60-9008; Filed, Sept. 28, 1960;
8:45 a.m.]

